THE CHINA WEEKLY

REVIEW

Devoted to the Economic, Political and Social Development of China and its Intercourse with Other Nations

THE NATIONALIST MOVEMENT and the SHANGHAI QUESTION

評論報

密勒氏

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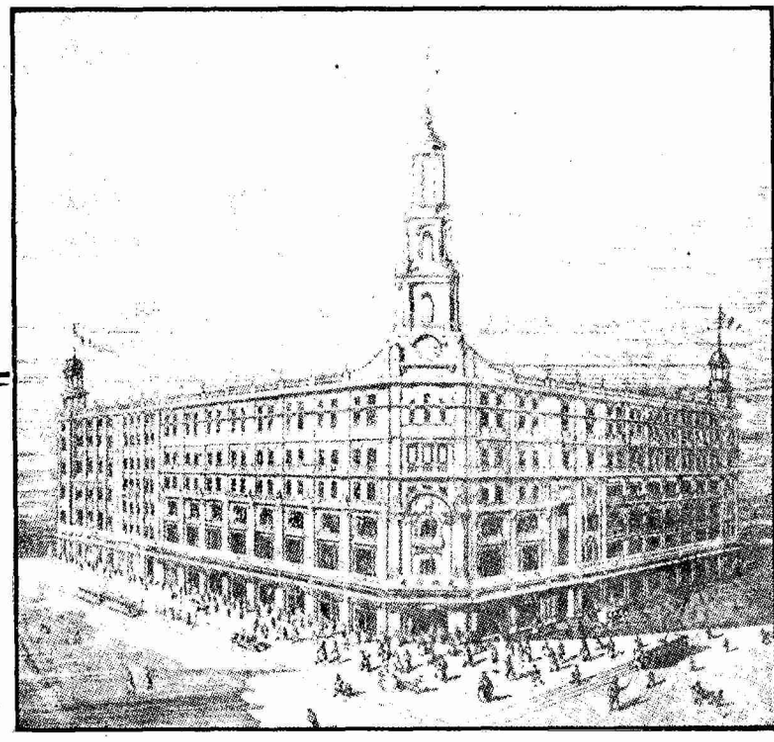

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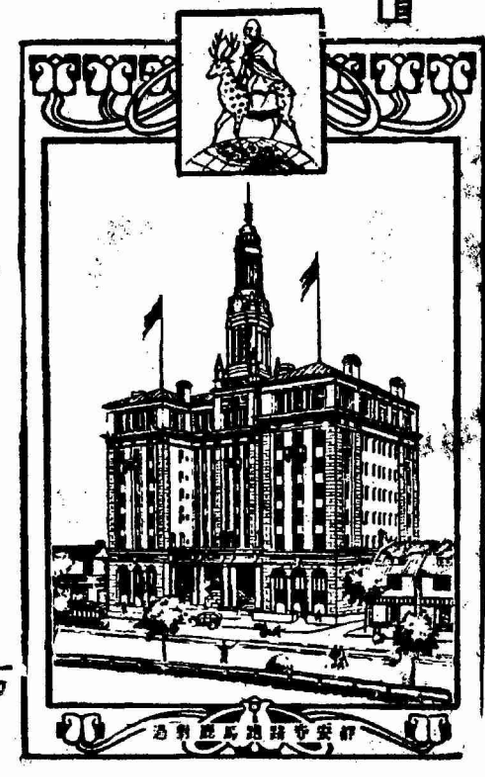

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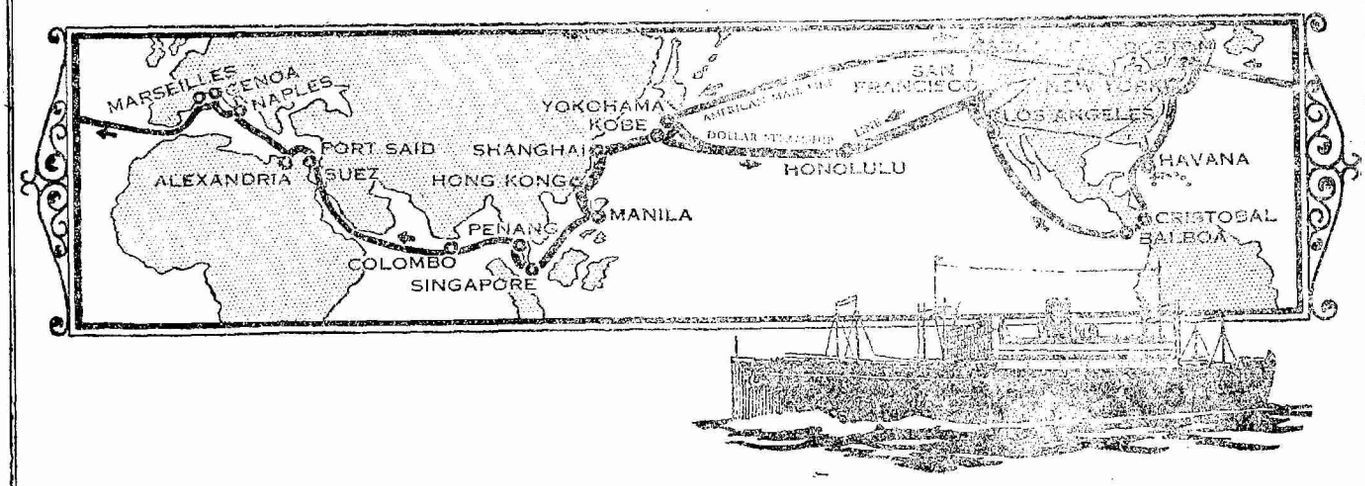

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Contents

Editorial Paragraphs
- From the Mixed Court to the Provisional Court 5
- Why the Shanghai Question Has Become a World Problem! 6
- Is America Doing Her Share at Shanghai? 9
- If There Should be Foreign Intervention! 10
- The Views of the Minister of Foreign Affairs... 11
- "Chinese Nationalism is a Living Reality!" 13

Special Articles
- China's Politics During the Past Decade ..... By C. T. Wang 14
- Chinese Favor "Moderate" Redemption of Shanghai ..... By G. Zay Wood 20
- An Analysis of the "International" Settlement at Shanghai ..... By Manley O Hudson 21
- The Problem of Municipal Government at Shanghai ..... By G. Z. W. 25
- The Legal Basis of the Municipality of Shanghai 26
- Why the Settlements Ought to be Abolished ..... By S H. Wang 33
- The Chinese Revolutionary Movement ..... By C. S. Hoh 35
- Marshal Feng Yu-hsiang and the Kuomintang ..... By a Chinese Writer 38
- The New Mayor Discusses the Shanghai Problem ..... By Chang Tin-fan
- An Interview with General Chiang Kai-shek ..... By Henry F Misselwitz 42
- Educational Program of the Nationalist Government ..... By King Shu 46
- The Operations of Imperialistic Russia in China ..... By Count Carlo Sforza 58
- Shanghai and Its New Provisional Court ..... By Manley O. Hudson 62
- The Nationalist Revolutionary Movement of China..... By Gen. Bei Tsung-hsi 72
- The Basic Aims of the Chinese Nationalists..... By P. T. Lau 74
- The New Split Between Hankow and Nanking ..... By J. B. P. 84

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FROM THE MIXED COURT TO THE PROVISIONAL COURT

ELSEWHERE in this number of *The Review* appears an exhaustive analysis of the old International Mixed Court which passed out of existence at the beginning of this year and a consideration of the problems of the Provisional Court which was ushered in to take its place. The chief difference in the two courts is that the Mixed Court was controlled by foreigners while the Provisional Court is controlled largely by the Chinese. In the old Mixed Court, the foreign assessors, appointed by the Consular Body had the last say in making decisions. Now the final decision rests with a Chinese judge. In the old Mixed Court the law applied was "mixed," otherwise a curious combination of Chinese and foreign law. No records were kept. The Provisional Court is attempting to apply modern Chinese law. In the Mixed Court practically all of the legal work was handled by foreign attorneys. Since the passing of the Mixed Court the Chinese attorneys have fallen heir to most of the legal business. Under the old Mixed Court system, the predominating influence was wielded by the foreign (British) police in the International Settlement. Now the police department of the Shanghai Municipal Council does not have the whole say, the Judges being responsible to the local Chinese Government instead of the Shanghai Municipal Council. Under the old system it was possible for foreigners, particularly industrialists at Shanghai, to use the Mixed Court as a weapon for keeping down labor agitation in the Settlement. The May 30 incident of 1925 had its origin in this manner and it was as a direct result of the May 30 incident that the Powers finally took action to solve the so-called Mixed Court problem, long a source of friction between Chinese and foreigners. The Provisional Court, which has taken the place of the Mixed Court is not perfect and suffers because of the inexperience of some of the judges. There are many foreigners in Shanghai, who for reasons of their own, would like to discredit the Provisional Court in the hope that the old Mixed Court might be restored. This, in our opinion, is a most dangerous propaganda for if the Mixed Court was a source of ill-feeling between foreigners and Chinese, any attempt to go back to the old system with all of its abuses, would be disastrous. Instead of trying through underhanded methods to destroy the prestige of the Provisional Court, foreigners should be doing everything possible to strengthen the hands of the Chinese in their first attempt to develop a modern court, for it is only in this way, through actual practice in dealing with foreign interests, that the Chinese will ever be able to develop a modern system of courts capable of administering Justice in cases where foreign interests are involved.

Why the Shanghai Question Has Become a World Problem!

THE SO-CALLED Shanghai Question has become a world problem, almost entirely due to the fact that the local foreign residents of Shanghai have proved themselves impotent from the standpoint of ability or desire to settle the question themselves. Whenever any government, municipality, state or nation, gets into a position where it either cannot or will not make adjustments to meet changing conditions, then that government is in a dangerous position from the standpoint of future tenure. It is this situation which faces Shanghai and the outside world today, due entirely to the fact that the local residents of Shanghai, chiefly British, have permitted the question to become a serious source of friction in the relations of China and other nations. Which leads to the query: WHAT IS THE SHANGHAI QUESTION?

IT IS unnecessary to review in detail the history of Shanghai, which, due to voluminous newspaper reports in the press of the world in recent months should now be familiar to newspaper readers everywhere. But briefly, Shanghai consists of three separate sections: an "International" Settlement, a French Concession and a Chinese city. The foreign tourist or even the Chinese visitor from other parts of China, wouldn't know unless he were told which was which. But the three sections are distinct and each has its own administration despite the fact that the three sections are only separated by streets. In this consideration of the SHANGHAI PROBLEM we are not concerned with the French Concession, due to the fact that the French being more adaptable, less bound by red-tape and generally devoid of the racial superiority complex, have either been able to adjust their relations with the Chinese, or are on the way of adjusting them. Neither are we concerned with the administration of the Chinese city adjoining and surrounding the foreign areas, and in which many foreigners reside. We are interested in the so-called International Settlement because the SHANGHAI PROBLEM, a question which has been responsible for much of the ill-feeling between Chinese and foreigners for many years, centers in this small piece of territory which covers only about 8,000 acres of Chinese soil. The Chinese city of Shanghai has been in existence for many centuries. In 1842 it was captured by the British and was opened to foreign trade by the Treaty of Nanking in 1847. In this treaty the British were given the right to establish a "settlement" alongside the native city, which at that time was a mediaeval walled town. The British originally intended their settlement to remain exclusively British and also to remain as a place for foreign residents to live and conduct their businesses exclusively, but an American consul early appeared on the scene and hoisted his flag in the British area. The British protested, but the American consul kept his flag flying and thus established the "international" character of the place. Later on another American Consul was responsible for opening up the "settlement" to the Chinese as a place for residence, arguing that the British regulation barring the Chinese from the foreign area was "wholly objectionable as creating invidious distinctions against the Chinese, and exercising exactly the spirit of exclusiveness toward them which we now complain of when exercised toward ourselves." There was quite a row over the question, but the American consul won out and the Chinese were permitted to come in. Frequent wars on the outskirts of the Settlement through the years accelerated the Chinese influx. Foreign real estate dealers also speeded the process because the influx of Chinese increased the value of the land, which the foreigners sold and resold, always at an increased price as the city grew. Today the total population of the Settlement is well over a million, the foreigners, including Japanese, not numbering more than 40,000. The European, or white population in Shanghai probably numbers some 20,000, of which the largest group consists of Russian refugees from the Czarist regime numbering 5,000, or 6,000 who have drifted into Shanghai in recent years. Then come the British with probably 5,000, the Americans with 4,000 and then the Germans, the Scandinavians, Italians, and so on. The British, being first in the field and always having a fondness for real estate, are the largest property owners among the foreigners. Of the total property interests in the Settlement, the Chinese predominate, paying from 70 to 80 percent of the taxes for the support of the local government. Much of the property registered in British names is actually owned by the Chinese, owing to the fact that technically, the Chinese are not permitted to own land in the Settlement. But they do own it and get around the regulations by paying the foreign holders a small annual fee.

THE CITY of Shanghai is administered under a charter or agreement called "Land Regulations" which was drafted by the foreigners and either agreed to by the local Chinese officials or enforced by the foreigners arbitrarily. These regulations acknowledge the Chinese as "lords of the soil," meaning that sovereignty rests with the Government of China and the owner of every foot of soil in the Settlement must pay to the Chinese Government a small annual tax. All title deeds must bear the stamp of the Chinese authorities in order to be legal. It is interesting to note in the records of the early negotiations that American influence had much to do in the protection of China's sovereign rights in connection with the settlement of the difficult land question. Tyler Dennett's book, "Americans in Eastern Asia" states that the shaping of the final terms of the land regulations gave early opprtunity for the development of American policy toward China as well as toward the other Powers. Owing to American influence, the Land Regulations as finally reported to the American Secretary of State, definitely renounced the pretentions set up by Great Britain and France to the exclusive enjoyment of certain concessions made to them respectively by the local Chinese officials. Technically, the Shanghai Settlement is controlled by a Consular Body composed of the official representatives of more than a dozen Powers, of which the most important are Britain, America and Japan owing to the predominance of their trade at Shanghai and with China genererally. The administration and real control of the city is in the hands of a municipal council elected by the local foreign tax payers. Five of the members of the Council are British, two are Americans and two are Japanese.

THE METHOD of government is English (old style) in that there is an annual meeting of taxpayers (they are called rate-payers here) conducted somewhat on the fashion of the New England town-meeting with which Americans were familiar a century and more ago. In early days this method worked well because the foreign population was small and everybody was acquainted. Today

the method is cumbersome. The foreign population has outgrown the "town meeting" type of government, but the British have steadily resisted reform largely because of the fear that a modernization of the method of government might result in a loss or modification of British control. The result has been that the local government has degenerated into a little bureaucracy controlled by a few large interests which benefit materially from a continuance of the old system. The decadence of local government is shown in the fact that there hasn't been a quorum at a ratepayers meeting for several years. The Shanghai Municipal Council, as it exists today, is therefore actually unrepresentative from the standpoint of both the foreign population and the Chinese who own most of the property. The administration of the city is equally antiquated and would not be countenanced in any western country where people are politically intelligent. That it is permitted to exist here is inexplicable on any other grounds than that the little foreign community at Shanghai has been isolated from world political currents so long as to be at least a quarter of a century behind the times. An example of the antiquity of Shanghai is proved by the fact that the city is just now engaged in installing its first modern sewage system. Modern sanitary plumbing was unknown up to eight or nine years ago. It was largely due to the influx of Americans into Shanghai during and following the world war that modern building methods were introduced. Official building regulations and standards, according to local American engineers and architects, are at least a quarter of a century out of date. Modern bathtubs and flush-toilets were unknown in Shanghai until an American firm brought them out about ten years ago. It was the American motor car and truck which forced Shanghai to pave and widen its streets. Shanghai, from the standpoint of mentality is still in the Victorial age and there are Britons (and also some Americans) still living in Shanghai who look upon the Chinese as a backward people permanently unfit for self-government.

THE SO-CALLED SHANGHAI QUESTION has to do with the matter of Chinese participation in, or control of, the "International" Settlement of Shanghai. As indicated in the article by Dr. Manley O. Hudson elsewhere in this number of *The Review* the question of Chinese participation in the administration here, is an old one. However, the question has only become acute in the past ten years. To the writer's knowledge the first definite organized movement for Chinese representation on the Shanghai Municipal Council started about seven years ago when the Chinese attempted to obtain the election of one member to the Municipal Council. The proposal was brought before the annual meeting of ratepayers and while a considerable number of foreigners supported the proposal, it was definitely killed by Sir Edward Pearce, the then chairman of the Council who spoke against the resolution declaring that the Shanghai Settlement, which had been acquired by British genius should remain an exclusively foreign controlled area. Nothing further occurred until the May 30 incident of 1925 again brought the question of Chinese-foreign relations here prominently before the public. For those not familiar with the May 30 incident, it may be stated briefly that as a result of long continued labor troubles which had their origin in the local Japanese-owned cotton mills, a crowd formed on Nanking Road before one of the police stations (the Louza Station) in which some striking students and laborers were confined. The Shanghai Municipal police finally fired on the crowd killing and wounding more than a dozen unarmed students and laborers. As a direct result of this firing, which was ordered by a British police sargeant, all China literally went mad with anti-Britishism which culminated in similar incidents at Canton, Kiukiang, Hankow and elsewhere and which had much to do in the fomenting of the present so-called Nationalist Movement. The anti-British strike and boycott agitations were particularly acute at Shanghai where the city was turned into an armed camp and foreign nations, particularly America and Japan were forced to land marines for the protection of local residents and their properties.

THE PEKING Diplomatic Corps and the Chinese Government, acting independently, sent commissions to Shanghai for the purpose of making an investigation regarding conditions here pertaining to the May 30 incident, and although great secrecy was maintained, it finally leaked out through Chinese sources that the so-called Diplomatic Commission, which was composed of representatives of the American, British, French, Italian, Japanese, and Belgian legations had recommended;

1—That the British Chief-of-police of the International Settlement be dismissed.

2—That the Chairman, Mr. S. Fessenden, of the Shanghai Municipal Council, be reprimanded.

3—That the Inspecter, Mr Everson, a British subject, who was in charge of the Louza Police Station at the time of the May 30 incident, be punished.

4—The Shanghai Consular Body was instructed, in case the Shanghai Municipal Council refused to carry out the foregoing instructions of the Diplomatic Corps, to dissolve the Shanghai Municipal Council and create a provisional government in its place.

WHEN THESE instructions were received in Shanghai there was consternation and the British in particular were flabbergasted. Many meetings were held by the powers-that-be and frantic cables of protest were sent to interests in London against the decision of the Peking Diplomatic Commission. Finally, Mr. Fessenden, chairman of the Council, who is an attorney of no mean reputation, drafted a reply to the report of the Peking Diplomatic Commission which amounted to a repudiation of the report, or in other words a sort of a declaration of independence on the part of Shanghai. All of the negotiations were kept strictly secret from the Shanghai public both foreign and Chinese, so what is said here is largely based upon hearsay evidence, but in our opinion, the facts are practically as stated. Finally as a result of pressure exerted by Shanghai Sir Austen Chamberlain, British Minister for Foreign Affairs decided to support the contention of the Shanghai Municipal Council that it was responsible only to the local ratepayers and not to the Peking Diplomatic Body. Later on America and Japan coincided in this view. As a result of this the French, Italian and Belgian representatives withdrew from the Diplomatic Commission. Owing to the secrecy maintained both in Shanghai and Peking the reports regarding the incident are conflicting but one of the Japanese news agencies carried a report that the Shanghai Municipal Council had insisted that the power of the Diplomatic Corps over the Shanghai Municipal Council was only supervisory, hence the Diplomatic Corps had no power to interfere with the employment or dismissal of officers of the Council. Therefore the

Council refused to obey the instructions from the Peking Diplomatic Corps and threatened to call a special meeting of ratepayers to pass on the issue. The *Sin Wan Pao*, one of the leading Chinese newspapers in Shanghai at the time carried a report from Peking stating that one of the foreign ministers, presumably the French Minister had declared that (1) The incidents in various places were all caused by the British; (2) The Municipal Council in Shanghai is in fact a British-controlled organ and it was a British policeman who ordered the firing on the Chinese crowd; (3) The French Minister, M. de Martel, has resigned from the Diplomatic Commission.

THE SHANGHAI Municipal Council, after successfully repudiating the report of the Diplomatic Commission, demanded a "Judicial Inquiry" into the causes of the May 30 riots and ensuing disturbances, as a result of which Great Britain, Japan and America finally appointed three judges to come to Shanghai and conduct an inquiry into the matter. These judges sat in the Shangha town hall for several days and collected evidence oni the May 30 incident, finally issuing a report which was made public by the Peking Diplomatic Corps, or at least by the American, British and Japanese Ministers, the other members of the Corps refusing to cooperate. The Chinese also refused to cooperate in the Judicial investigation. The report of the Judicial inquiry was significant in that the judges disagreed fundamentally in their findings, the British and Japanese judges, Mr. K. Suga and Sir H. G. Gollan, absolving the Shanghai Municipal Council from blame while the American Judge, Mr. Findley Johnson, head of the Philippine Supreme Court held the Council responsible and made a recommendation practically similar to the findings of the Peking Diplomatic Commission. Judge Johnson's report, which went deeply into the underlying causes of Sino-foreign discord at Shanghai was most comprehensive and created a deep impression throughout China and abroad. Space is too limited to reprint Justice Johnson's report in full but he called attention to abuses existing in the International Mixed Court at Shanghai, the usurpation of legislative, judicial administration and police powers in Chinese territory, the failure of the foreigners here to grant the Chinese the right of representation, the extension of roads by the Shanghai Municipal Council into Chinese territory without the consent of the Chinese authorities, extraterritoriality, the extension of the government of Shanghai into Chinese territory outside the Settlement, the mental attitude of both foreigners and Chinese due to the failure to have important questions of differences between them settled. Justice Johnson's report also went very thoroughly into the local police administration calling attention to the inefficient methods used in making advance preparations when evidence existed of impending trouble, of the fact that executive officials of the police department often were not on duty when they should be and could not be found when their services were required and of the generally "superior" attitude of the police in dealings with the Chinese.

FINALLY Justice Johnson recommended certain specific and general reforms, the most important of which were:

1—That the question of participation on the part of the Chinese people in the actual government of the city of Shanghai, so far as treaty relations will permit, should be taken up, mutually discussed and settled.

2—That the question of extraterritoriality which forces the Chinese people to submit to foreign laws, should speedily and without delay be mutually discussed and settled.

3—That the alleged grievance on the part of the Chinese people relating to the loss of sovereignty and territory in the region of Shanghai, is also a question which those in authority should not overlook.

4—That grievances of the Chinese people concerning unjust treaties negotiated with selfish and perhaps dishonest officials is another question which should be carefully considered, mutually discussed, and justly settled by all the friendly nations and the Chinese people.

5—That the foreigners in China have failed to take into account the principles of liberty and independence which they themselves have spread abroad throughout China.

6—That the Chinese people have begun to take on a new civilization.

7—That the foreigners in China have failed to realize that the Chinese people have made greater advancement during the past ten years in civics, in the fundamental principles of government and in the better understanding of individual rights under the law, than they have made in any one hundred years during their entire history.

AS A DIRECT result of Justice Johnson's report, the Shanghai Municipal Council immediately took action to dispense with the services of Mr. McEuen, the chief of police and Mr. Everson, the police inspecter both of whom, incidentally, were given handsome retiring allowances. The Council made an offer of a monetary settlement to the relatives of the Chinese who were killed in the May 30 shooting, but the Chinese returned the check. In addition to this the foreign ratepayers, at the next meeting voted to *grant* the Chinese three representatives on the Municipal Council and appointed a commission to investigate the question of the admission of Chinese to the public parks of the Settlement. These good intentions, however, were largely countermanded at the annual meeting of the Shanghai ratepayers last spring, due largely to the fact that the local ratepayers had been led to believe that the British troops sent to Shanghai were here for the purpose of 'licking' China and re-establishing the old treaty position. Nothing of course was further from the truth than this belief and if Shanghai misunderstood the purpose of the foreign troops at that time, there should be no misunderstanding the situation now. The SHANGHAI QUESTION therefore remains an unsolved one and as stated in the opening paragraph of this discussion it has become a world problem due purely to the inability or lack of desire on the part of the local foreign residents, most of whom are of British nationality, to solve it. A prominent British visitor to Shanghai recently made the statement that nine-tenths of Shanghai's troubles could be solved by the local foreign residents without reference to the so-called unequal treaties. The foreigners here, chiefly British, have refused to solve their local problems of relations with the Chinese, due first to purely selfish reasons and second, due to the belief that the Powers would support the foreigners in their stand. Obviously, the Powers will not do this, hence the whole question of making adjustments to meet modern conditions comes back to Shanghai and must be faced. Otherwise the Powers will finally step in and settle it arbitrarily without respect

to the wishes of local interests. The chief point for the British to consider is that other nations are interested in this matter owing to the fact that their trade is being interfered with due to the ill-feeling engendered by the unsettled Shanghai question. It is therefore imperative that the British government and local British interests take steps to settle the question as quickly as possible.

Is America Doing Her Share at Shanghai?

ONE OF THE common indoor sports wherever foreigners gather in Shanghai, is to cuss the United States for not doing its share in the "protection" of the International Settlement of Shanghai. And, regretfully to relate, Americans often participate in these discussions and — still more regretfully — sometimes end up by agreeing that America is undependable; that the American people do not understand the real situation; that the Americans are 'mush-headed' on the China question, and so on. There is, of course, always present in Shanghai a certain type of American citizen who finds it advantageous for some reason or other to work against American policy. Reasons for this are many. For example we know one American who wears a monocle and spats and affects an English accent because he earns a living by certain dealings with British firms and banks and has certain social connections which he considers desirable. Whenever British interests in Shanghai want to influence Americans in Shanghai for any particular reason, this man is always ready for the job—that's why he wears the monocle and affects the accent; it's part of his stock in trade. Then we know at least two Americans who served as secret-service agents for a certiain European government during the World War by spying on American firms in Shanghai. But the Americans found this out and kicked them out, so they do not count for much any more. It isn't the Americans who are 'professionally' anti-American, or pro-anything whom we are interested in, in this connection. It's the average American citizen—business man, professional man, missionary, or what not, who thinks that America does not play the game in cooperating in the defense of Shanghai, that we are primarily concerned with in consideration of the question. "Is America Doing Her Share at Shanghai?"

IN CONSIDERATION of this question, it is our purpose to examine it under two headings, *sentiment* and *economics*, basing our considerations on the proposition that if America should assist the British in the defense of Shanghai and the preservation of the foreign status here against Chinese participation in the administration the reason should be either because of sentiment or for sound economic reasons. The first can be dismissed without much waste of space, for while America might help in preventing the Chinese from taking over control of England, there isn't much chance of America helping the British in preventing the Chinese from taking over control of China's own territory at Shanghai—or Hongkong either—for that matter, when the proper time arrives. American sentiment in such an event would, in all probability, be on China's side if it came to a real showdown. Therefore we hasten on to a consideration of the economic phase of the question, many persons believing that there is an economic foundation for every political issue anyway. When we consider the matter of defending Shanghai against the Chinese from the standpoint of actual American investments, the proposal for American participation in the defense of the city does not hold water. American investments in Shanghai are larger than anywhere else in China, but actually they are not sufficiently large to have any material effect on American foreign policy toward China from a general standpoint. Furthermore neither the American Government nor the American people are convinced that permanent foreign control of Shanghai is necessary for the conduct of American business in China under normal conditions. During the crisis last spring when the question of Chinese control or participation in the administration of Shanghai was an issue, President Coolidge let it be known that America was ready at any time to face the question of negotiating with the Chinese for participation in the government of Shanghai. Other influential Americans such as Senator Wm. E. Borah of the Foreign Relations Committee, were in favor of complete American evacuation of Shanghai rather than facing the possibility of participating with the British in the actual defense of the Settlement against the Chinese. It is known that the American Marine forces were under strict instructions not to oppose by force of arms any organized body of Chinese troops and in one instance when the American marines were placed in the front lines (at Markham Road Bridge) with the British Coldstream Guards, the Marines were quickly withdrawn and returned to their barracks when the newspaper correspondents telegraphed the facts to the home press. President Coolidge has constantly made it clear that the American forces are in China purely for the protection of American lives and property in accessible places, and for no other reason whatsoever.

THIS DISPOSES of the chief phase of the "economic" argument in favor of American participation in the defense of Shanghai. But there is still another argument which frequently crops up, which is based upon business considerations. "America should assist in the preservation of the foreign status of Shanghai because Americans are thereby enabled to sell merchandise to the municipality, which would be impossible if the Chinese had control of, or a large measure of interest in the administration of the area," we are told. This argument is the worst piffle of all, for a recent discussion of this question with American merchants in Shanghai showed that most American firms here did more business in Chinese areas than in the so-called International Settlement. "Shanghai is the only important city in China where we are unable to do any business," declared one man and he had figures to prove his point, and when he was asked for an explanation he replied, "The reason we can do no business in Shanghai is due entirely to the fact that everything goes to British firms, and the same thing applies to the sale of commodities to the British public-service corporations which enjoy monopolistic rights by virtue of the control exercised by the Shanghai Municipal Council, a primarily British entity." There are certain American firms which occasionally do sell things to the Shanghai Municipal Government, but the business is small and when American firms are given contracts it is either due to the fact that the merchandise is unobtainable in England, or there is some special reason for giving the Americans a look-in. The facts in the situation are that if the Chinese had some say regarding the administration of Shanghai,

American firms might have an opportunity to compete for profitable municipal contracts which are now open only to British firms. This is proved by the fact that in practically every large Chinese city, Americans have been able to install electrical power and light plants, telephone apparatus and other equipment which they have been unable to place here because of the fact that the British throw everything to their own firms.

AMERICANS, of course, have no legitimate grounds for criticising the British because they throw all of the profitable business of the Shanghai municipality to British firms. Shanghai, despite its camouflage of 'internationality' is almost as much a British-controlled territory as is Hongkong. More than 95 percent of the foreign employes of the Settlement are of British nationality. All of the public service corporations which enjoy monopolistic rights in the Settlement are British with almost exclusive British personnel. Although the exact figures are not available it is probably approximately correct to state that between 40 and 50 percent of the heads of foreign white house-holders in the International Settlement, are employed either by the Municipal Government or by public-service corporations depending upon the Settlement government for their privileges—and all of them with very few exceptions are of British nationality. As a matter of actual fact there are probably not more than a half dozen Americans who hold positions of any special consequence in the local municipal government, and from the standpoint of residence most of the American house-holders in Shanghai live in the French Concession where living conditions are preferable to those prevailing in the so-called International Settlement.

THE FOREGOING are the chief reasons why Americans have no particular interest in the so-called "defence" of the International Settlement, which, as stated, is in actual fact nothing but a British concession camouflaged for political purposes as "international." Americans have no cause for quarreling with the British for what they have wrought here at Shanghai: rather they are to be admired for what they have done. But Americans do have sound grounds for resentment at British criticism that the Americans are not doing their share in the "defense" of the Settlement. From no possible standpoint, sentimental or economic, have the Americans any legitimate grounds for helping in the defense of Shanghai against the legitimate demands of the Chinese for participation in the administration of the city. The American Government does have a responsibility for the protection of American lives and properties *in the Settlement*, but American responsibility stops at that point. Rather, to consider the matter from a purely business standpoint, there are any number of sound reasons why Americans might benefit very materially from Chinese participation in the local government. And what we have said as pertaining to Americans, also applies in equal measure to the Japanese, the Germans, the Scandinavians and other nationalities residing here who are constantly being urged to "do their part" in the defense of the foreign area against the Chinese. The British control Shanghai and they run the city, primarily for British commercial interests, and secondarily for British political interests. There is no disputing these facts and there is no legitimate reason for criticising them for doing so, except from the standpoint that since Shanghai is British, the British Government and the local British residents should shoulder the sole responsibility for what they do here and not try to make America, Japan and the other nations also shoulder the responsibility for protecting purely British interests. Since the Chinese people generally are gradually becoming more intelligent in respect to the fundamental interests here, the chances are that the time may shortly come when America and Japan may be forced to dissociate themselves from any official participation in the so-called "International" Settlement of Shanghai and thus force the British to accept sole responsibility for the abuses, as they now share almost exclusively in the benefits.

IF THERE SHOULD BE FOREIGN INTERVENTION!

ALTHOUGH no one of intelligence would attempt to forecast what is likely to happen in the relations of China and the Powers, it now seems fairly certain that the tendency toward armed intervention which was prevalent last spring, is now definitely dead and that the Powers are now fairly definitely committed to a policy of conciliation and peaceful settlement of outstanding differences. The change from intervention to conciliation was due entirely to the definite stand against intervention which was taken by President Coolidge last spring. However, despite the present tendency toward a peaceful settlement of China's difficulties with the Powers, there is no knowing what the future may bring: Hence, it is of value to consider certain problems which might develop in case the international trend or propaganda toward armed intervention should be again renewed. In the first place the chief burden, from a financial standpoint, would fall upon the United States due to the obvious fact that no European country, not even Great Britain, is now in a position either politically or financially to undertake such an enterprise. Japan, due to her nearness to China would be in a position to intervene actively in China, but here again the financial and political problems intervene, Japan being in no position to undertake such a hazardous enterprise without outside financial support which would have to come from the United States. The fact that more or less strained relations exist between Japan and China over the Manchuria question would also tend to prevent Japan's undertaking such an enterprise, and much the same strained relations apply in respect to Great Britain and China. Therefore, in case intervention should be decided upon, the burden would fall upon the United States and this would mean the financing of the enterprise and the supplying of most of the troops. In view of this situation, it is difficult for any intelligent American citizen to envisage his Government embarking upon such an adventure or the American people supporting the Government in case the Administration did favor intervention. But for the sake of argument, we might assume that all of the objections could be swept aside and a policy of intervention decided upon. What would be the next step?

First,—The United States should call a conference of the Powers primarily interested in China from the standpoint of trade and contiguity of territory. This would include Japan, Great Britain, France and Russia and possibly Holland and Portugal.

Second,—The United States should insist that each of these countries lay on the table a certified copy of every treaty, agreement, concession and commitment pertaining to China. This would include agreements and treaties with the Chinese central and provincial or regional authorities, and also secret agreements with other Powers pertaining to policies in respect to China.

Third,—The United States should insist upon a declaration that these agreements were complete and that any other treaty or agreement not included, which might come up in the future, would be declared null and void.

The Views of The Minister of Foreign Affairs

Dr. C. C. Wu, Minister of Foreign Affairs in the Nationalist Government

"I am interested to know that the *CHINA WEEKLY REVIEW* is about to bring out a special number on the Shanghai question, and I trust its enterprise will enable it to obtain some valuable contributions that will assist the public to a realization of the urgent need for of a solution of the highly unsatisfactory situation in Shanghai.

"The doctrine that Shanghai is a sort of autonomous 'imperium in imperio'—independent of China subsists only in the minds of Treaty-port 'die-hards'. And the adequate assertion of China's dominant right of control and disposal would long ago have been shown, had not this country's destinies been retarded in the hands of effete Manchu rulers and creatures of the discredited war-lords.

"With the coming of the Nationalists into power, the problem of Shanghai becomes at once an issue of immediate practical politics. Upon its satisfactory solution the larger and graver problem of future Sino-Foreign relations depends. To reach a peaceful solution, it remains to be seen whether the arrogant 'will-to-power' of Shanghai reactionaries or the wiser statesmanship that looks not only at to-day but to the future shall prevail. It is my hope that when the moment arrives for consideration of the future status of Shanghai by the Nationalist Government and the Powers concerned, we shall be confronted in the conference chamber by representatives imbued with goodwill and political liberalism—and ready to envisage the Shanghai question as part of the larger one of the future peaceful development of this great country.

CHAO-CHU WU,
Minister of Foreign Affairs.

Nanking, September 30, 1927.

Fourth,—The United States should insist upon a definite agreement outlining the purposes and extent of the intervention program which should be for the purpose of assisting the Chinese in the establishment of a central unified government and for the purpose of establishing beyond any reasonable measure of doubt the political, territorial and administrative integrity of China. This would include the elimination of all spheres of influence, the retrocession of all concessions and the elimination of all monopolistic enterprises such as the British control of the Customs Administration and the so-called Shanghai International Settlement, as well as the Japanese monopoly of the South Manchuria Railway.

Fifth,—The United States should be prepared to shoulder the burden of guaranteeing the integrity of China with all the force and resources of the United States against any form of outside aggression or interference from any possible quarter until the Chinese people were in a position to assume the burden themeselves.

This, of course, is a large order and would be difficult of accomplishment. What we have in mind in suggesting it is that the United States, in case intervention should ever be decided upon, should go into it with her eyes and ears open, and should not be "let in" for some precarious enterprise similar to what happened in the World War when America supplied most of the resources but had little voice in the ensuing settlement. The secret Shantung agreements among the Allies, regarding which America was not informed, is a case in point. When certain European interests urge intervention in China, they realize perfectly well that the chief burden would fall on the United States, but they think that in some mysterious manner they might induce the United States to do all of the intervening, supply all of the money, do all the "dirty work" while they would be able to maintain their private monopolies and other selfish political and economic enterprises, after the intervention program had been completed.

Stricter Regulations for Foreign Traders in the Interior

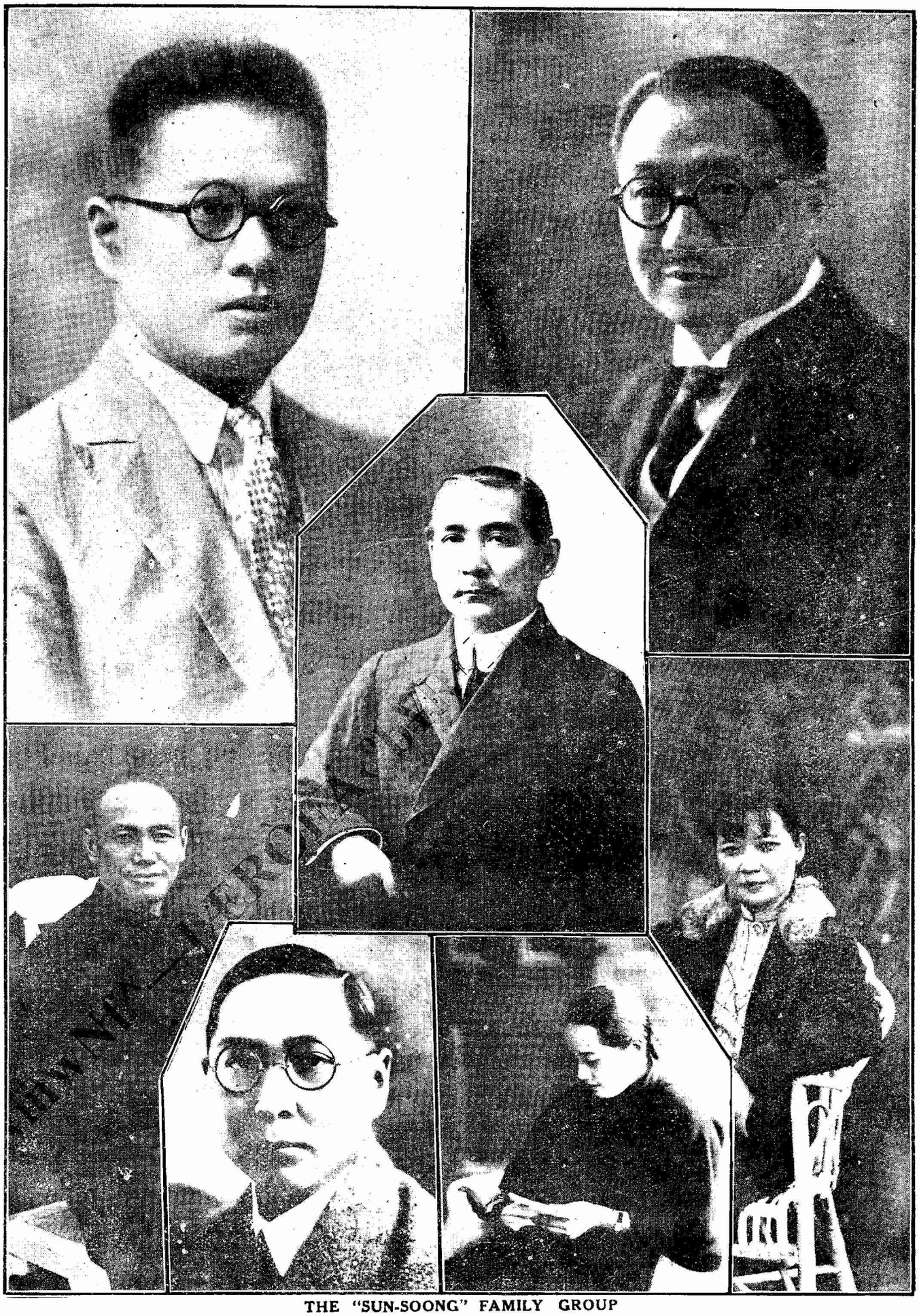
The Ministry of Foreign Affairs of the Peking Government has just made public new regulations pertaining to the trade and residence of foreign merchants in the interior of the country which are much stricter than previously have prevailed. A translation of the new regulations follows:

(1) Foreign merchants shall be allowed to carry on business only in provincial capitals, commercial ports, and within 20 li of any place accessible by steamer or railway.

(2) Foreign merchants shall have no right to own land in China, though they may lease land for a specified period of time.

(3) In establishing business houses in China foreign merchants shall apply to the Ministry of Industries for registration according to Chinese law.

(4) Foreign merchants in China shall not be allowed to carry on the following trades (a) selling opium or other poisonous drugs, (b) selling arms and ammunition or military equipments, (c) exporting rice or other foodstuffs, (d) exporting Chinese coins, and (e) exporting salt.



THE "SUN-SOONG" FAMILY GROUP

For description see next page

"Chinese Nationalism Is a Living Reality!"

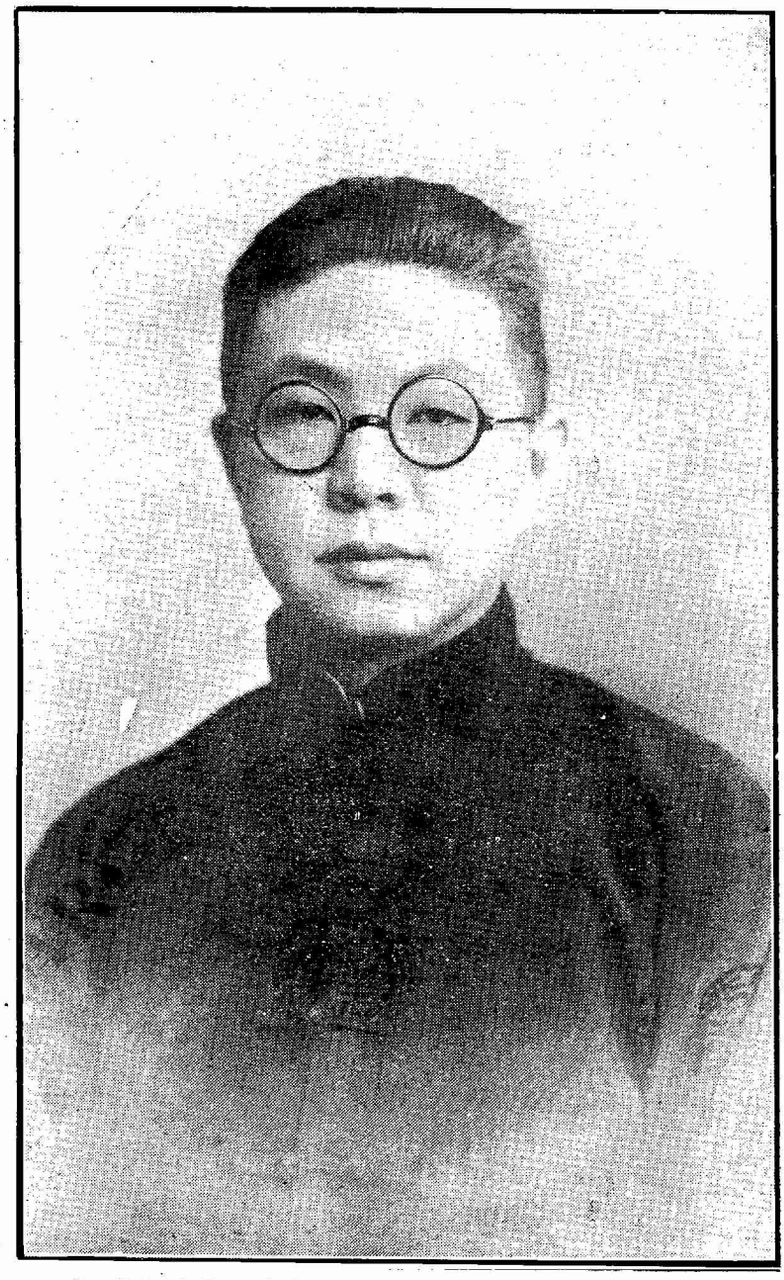
By Quo Tai-chi

The attention of the world has, in recent months, been heavily focussed on China; and the leaders and masses actively taking part in the Nationalist Movement which is responsible for the fundamental change that is spreading over the country, are not unconscious of this attention. It is the hope of the Nationalists that this attention be not clouded by distorted information or influenced by prejudiced criticism. A colossal national undertaking like the Nationalist Movement, which enfolds within its ranks millions of the masses, and which affords a training in political affairs to the people, must in the nature of things create much that needs explanation to the peoples of the world—to those who are friendly and sympathetic, as well as to those who may be hostile to such a movement. In the past China has been much misunderstood; and in the present phenomenal change and readjustment much may happen to foster wrong impressions.

The Nationalist Movement, even now still belittled by a certain type of foreigner as artificial, is a living reality. The rapid progress of the Nationalist armies which started their northward march from Kwangtung slightly over a year ago, it is seldom realised, is due mainly to the popular support accorded to the Movement. The principal aim of the Movement is to make China a free and independent state as a full equal in the family of nations. The Nationalists, guided by the principles laid down by Dr. Sun Yet-sen, believe that to attain this aim China must be freed immediately from the trammels and restrictions unjustly imposed upon her through the antiquated treaties. For these restrictions handicap her progress and free development.

QUO TAI-CHI.

The Bureau of Foreign Affairs, Shanghai, Oct. 1, 1927.



Quo Tai chi, Commissioner of Foreign Affairs at Shanghai

The Famous "Sun-Soong" Family

Practically every country has its famous families who have been prominent in the political life of the nation, but few countries can boast of a family more noted that the "Sun-Soong" family of China which has been identified with the Kuomintang Party and the Nationalist Movement from the beginning. In the center is Dr. Sun Yat-sen, the father of the Kuomintang, Provisional President at the Founding of the Republic in 1911 and now since his death the Patron-Saint of the Nationalist Movement. In the upper left corner is Mr. T. V. Soong, a brother of Mrs. Sun Yat-sen. Mr. Soong was Minister of Finance in the Nationalist Government at Canton and later at Hankow. A recent article in *Asia Magazine* by Mr. Vincent Sheean rated Mr. Soong as the most capable administrator which modern China has produced. In the upper right corner is Mr. H. H. Koong, another capable administrator who was Minister of Agriculture and Commerce in the Nationalist Government. Mr. Kung is a brother-in-law of Mrs. Sun Yat-sen. In the lower left corner is Gen. Chiang Kai-shek in civilian attire, this picture being taken shortly after the former generalissimo of the Nationalist forces had announced his engagement to Miss Mei-ling Soong, a sister of Madame Sun Yat-sen. Next to Gen. Chiang is Mr. Sun Fo, a son of Dr Sun Yat-sen, who served as Minister of Communications a Canton and is now Minister of Finance in the Nanking Government. Next to Mr. Sun Fo on the right is Madame Sun Yat-sen, wife of the founder of the Kuomintang, Mrs. Sun now being known as the Mother of the Revolution. In the lower right corner is Miss Mei-ling Soong, a sister of Mrs. Sun, who is shortly to become the bride of Gen. Chiang Kai-shek.

Everybody on this page is an American returned student with the exception of Gen. Chiang Kai-shek who received his military education in Japan. Mr. T. V. Soong is a graduate of the Harvard School of Business Administration while H. H. Kung is a graduate of Oberlin. Dr. Sun Yat-sen attended school in his youth in Honolulu while his son, Mr. Sun Fo is a graduate of Columbia University. Mrs. Sun Yat-sen is a graduate of Wesleyan College, Macon, Ga., while her sister, Miss Mei-ling Soong is a graduate of both Wesleyan and Wellesley.

China's Politics During the Past Decade

By C. T. Wang

IF we accept as a truism that history is past politics and politics is present history, then a survey of the present political situation in China will become a chapter of the history of Young China. It is the usual practice of a chronicler to give a *resume* of events leading up to the period of which he writes in order that the things which happened in that period may be brought out more vividly with the immediate past as a back ground. The scope of the present article will consist of the period starting from the downfall of Yuan Shih-kai in 1916 up to the present time. This period is chosen for two reasons. In the first place it marks a decade of intense and continuous struggle of the Kuomintang or Nationalist Party for a constitutional government against the militarists. In the second place it stands out prominently as a period when China refuses to accept the terms of the unilateral treaties which had been entered into with the foreign Powers and demands arevision on the bas is of equality and reciprocity. It is however, necessary to devote a few paragraphs to the main events which happened immediately previous to that period.

Dr. Wang Chen-ting, or C. T. Wang as He is Known by Foreigners, Has Served China as Minister of Foreign Affairs and as Premier and on Many International Conferences. His Greatest Recent Accomplishment Was the Securing of the Consent of the Powers to Tariff Autonomy for China at the Tariff Conference at Peking Last Year. Dr. Wang is Now Living in Retirement at Shanghai Where He is Active in Civilian Affairs, Especially the China Good Roads Movement and the Agitation for Chinese Representation in the Administration of the "International" Setttlement of Shanghai.

The defeat of China at the hand of Japan following their war of 1894-5 brought to the Chinese people the first vivid realization that the days of self-sufficiency were gone. We could no longer "close our doors", politically speaking, and feel secure, for those "doors" after having been forced several times by the British and French were now battered down beyond repair by the Japanese. The flood of political aggression which had been rising since the Opium War now forced its way through these doors and overran the country, culminating in 1898 when China gave away Port Arthur and Dalny to Russia, Tsingtao to Germany, Weihaiwei and Kowloon to Great Britain, and Kwangchowwan to France without even the pretext of a war.

Naturally there arose in the breast of every thinking Chinese that spirit of anger so well expressed in the terse phrase of righteous indignation. Their anger was directed both to the foreign Powers which perpetrated these acts of aggression and the effeminate Manchu court which yielded to them. By a clever stroke on the part of the Imperial regime this anger was directed solely against the foreigners upon whose head was heaped the venom of the Boxer Movement. Many an innocent foreigner was made to pay for the sins of his aggressive government. But such acts of violence so indiscriminately committed did not receive the approval of the people at large. Three officials of the Foreign Office had the courage to change the wording of the Imperial Edict from "wholesale massacre" into fullest protection of the foreigners who happened to sojourn in their country. For this act of patriotic and courageous conviction they paid their very lives. Intelligent Viceroys, heaided by Yuan Shrh-kai, Chang Chih-tung and Liu Kun-yi at once b ought their power and influence to the rescue and protection of the foreign residents within theirt jurisdiction. It is deeply to be regretted tha the representatives of the various Powers who drafted the 1901 proctocol, failed to observe that the Boxer Movement did not come from the people but from the Imperial Court. To exact from the Chinese people the heavy indemnity of Four Hundred Million Taels was an act of injustice. The United States of America was the first Power to realize this injustice and forthwith agreed to remit a large portion of the

indemnity. Practically every other Power has since then followed likewise.

The Boxer Movement, although misdirected was a true protest of the Chinese people against foreign aggression. Sir Robert Hart was quoted to have remarked at the time of the signing of the Proctocol that in thirty years there would arise in China millions of "Boxers" to protest against such acts. How prophetic Sir Robert has proved to be! There are literally millions of our people who raise their voice now in unison: "Down with Imperialism! Down with Unequal Treaties!" Sir Robert, having the reputation of being possessed of uncanny power of observation, saw the dlrection to which the political wind was blowing. It was at this time when Dr Sun Yat-sen, the Father of the Chinese Republic, began to formulate plans for the accomplishment of two objectives. The first was to upset the Manchu imperial regime and to set up in its place a government "of the people, for the people and by the people". The second aimed at the recovery of lost rights through revision of the unilateral treaties forced upon Chin by the various Powers. The Revolution of 1911 marked a partial success in attaining the first objective. The re-establishment of a central government in China under the Koumintang shall achieve its final success. It shall also sound the death-knell of the unilateral treaties.

Japan's Victory was Eye-opener to China

While China's war with Japan first made her realize her own impotence, Japan's victory over Russia a decade later was an eye-opener to China. Here was an Oriental Power, small in size, limited in resources, and with a comparatioaly small population, but by sheer determination to adapt herself to the modern military and naval equipment, that succeeded in defeating a powerful Occidental state generally much feared by the other western Powers. Why cannot China, much larger in size, almost unlimited in resources and with a population ten times greater, do likewise? There was much searching of heart among the people. As a result not hundreds or thousands but tens of thousands of student migrated to Japan, America and Europe to seek an answer to their own query. In Tokyo alone in 1906 there were no less than fifteen thousand Chinese students. It was among these students abroad Dr. Sun worked hardest and he found a fruitful field for recruits to fight for the realization of his two objectives. As these students came from every corner of the vast Empire, they became in turn the leaders of the revolutionary movement throughout the length and breadth of the country on their return home.

There was also formed at this time a powerful monarchical movement, headed by Kang Yu-wei, which contended that what China needed was not a revolution but the enacting of reforms under a constitutional monarch. Naturally this movement had gained a much larger following than Dr. Sun's at the beginning. The authorities were not hostile to it. The people at large, having been imbued with the doctrine of full obedience to the Emperor for centuries, were rather in favor of it. Moreover most people have a tendency to go by the line of least resistance. Even a distinguished scholar like Dr. Goodnow would favor a monarchy for China and a distinguished diplomat like Dr. Schurman would advocte evolutionary measures tor the recovery of China's rights. Both gentlemen hail from a great sister Republic which prides itself for having produced such revolutionary spirit as shown in the Boston Tea Party episode and such revolutionary leaders as Washington and Franklin. It requires an iron will-power for a man like Cromwell to be able to declare that "opposition to tyrants is obedience to God." Dr. Sun possessed such iron will-power when he advocated a revolution for China. Paradoxical as it may sound to be, he received greater support for his eause through the existence of this monarchical movement than otherwise, because the reforms advocated by Kang Yu-wei proved to be nothing but bubbles. The effeminate Manchu court did not have either the wisdom or the courage to carry out any such reforms. Just as the monarchical movement waned in its influence by its utter failure to bring about any reforms, the revolutionary movement gained in support, culminated in the overthrow of the imperial regime in 1911 and the establishment of the Republic the following yeart

Republic only Partial Realization

With the establishment of the Republic the first objective of Dr. Sun's was only partially realized. Prompted by true patriotism and ill-advised, as it eventually proved to be, by his political friends, the running of the Republican regime, which he had worked so hard and risked so much to bring about, was entrusted to the hand of one who had shown great ability for administration but possessed so much personal ambition that he put his own interest above the welfare of the Republic. No sooner was he placed at the head of the State than he began to make political manoeuvres to eliminate the Kuomintang or Nationalist party from the affairs of the State, looking towards the founding for himself of a new dynasty. Yuan Shih-kai thereby turned out to be a traitor to his country and a perjurer to his oath. In 1916 he died with a broken heart and a detested name as his monarchical scheme fell like a house of cards. With his elimination in the political arena, however, there was ushered into China the sorrowful state of chaos for the last ten years, an account of which is to form the scope of the present article. This state of affairs was partly due to the inability of our own people to gather sufficient strength to defeat the warlords created by Yuan Shih-kai, but it was largely due to the unwarranted interference of the foreign Powers to "pick" their "winning horses" among these warlords in order to further their own interests.

The Koumintang is the only political party in China that has a clear cut program for the reconstruction of the country. While it is true that Dr. Sun created the party and dominated it in his life-time, it is founded not on pern son alities but on principles. The avowed purpose of the party is to establish a Republican form of government based on the three principles so well known in Chinese as the "San Min Chu I." To put them into an understandable form, the three principles are the basis of a government that shall be of the people, for the people and by the people, as Lincoln stated in his famous Gettysburg speech. After having established the Republic of China Dr. Sun was willing to efface himself. He handed the reins of the newly formed government over to Yuan Shih-kai, believing that the latter would be faithful to his oath of upholding the Republic and its constitution. As soon as Yuan showed signs of purjury and treachery, Dr Sun at once courageously renewed his fight for a people's government. The forces of the reactionary elements were at first too strong for him. Yuan had firmly entrenched himself in all parts of the country with modern trained cohorts to trample down any opposition and with powerful financial backing from foreign sources to move about his war engines. Dr Sun had to abide his time but he was not inactive. Through his machination Yuan Shih-kai's dream of an Empire for his family was utterly shattered, and Vice-President Li

Yuan-hung was installed as the second President of the Republic with the support of the Kuomintang. The National Assembly, illegally dissolved by Yuan Shih-kai in 1913, was recalled to meet and to devote its entire attentions to the adoption of the National Constitution which had been the bone of contention between Kuomintang and Yuan Shih-kai. As the majority of the National Assembly was composed of Kuomintang members, the tenet of the Constitution naturally leans toward subordinating the Executive Branch of the government under the Legislative. It favored a cabinet from of government, responsible to the National Assembly, with the powers of the Chief Executive very much curtailed. This was of course distasteful to an autocrat like Yuan.

When Dr. Wu Ting-fang Stood Firm

The Assembly proceeded with its work smoothly for about nine months. All the hundred and odd articles passed through the second reading but there arose another rock upon which the ship of state went aground. The Nationalist party was and is still in favor of a proper division of power between the central government and the local or provincial governments. The Peiyang party or the Military Party under the leadership of Marshal Tuan Chi-jui was against it. The controversy between them resulted in the second dissolution of the National Assembly. An interesting episode happened at this stage. The veteran statesman, Dr. Wu Ting-fang, was then the Minister of Foreign Affairs and acting Premier. He was besieged by the militarists at the Foreign Office for over twelve hours for his signature to the mandate dissolving the Assembly. The old Doctor stood adamant to all persuasions, intimidations or threats. The Doctor was dismissed from his post, the Chief of the Gendarmes of Peking was appointed acting Premier and the mandate was issued forth-with to the consternation of the whole nation. Dr. Sun, Dr. Wu, Mr. Tong Shao-yi, another ex-premier, and Admiral Cheng Pi-kwang thereupon decided to proceed to Canton. There went with them all the Kuomintang members of the National Assembly and a large portion of the Navy. Thus began the great schism between the so-called North and South which is not yet healed up to the present. This division of the North and South is a misnomer. The division is in reality based upon two schools of political thought. The so-called "southern" party believes in a constitutional government with the military forces under the order of a civilian government, while the so-called "northern" party believes in an autocratic government with a military leader exercising the supreme powers.

The Nationalist government organized by Dr Sun, Dr. Wu, Mr. Tong, Admiral Cheng and others at Canton in 1918 had its vicissitude of existence. General Lu Yung-ting with his chief lieutenants was holding the two provinces of Kwangtung and Kwangsi. While outwardly he welcomed these Nationalist leaders to Canton for reasons of his own it was soon apparent to them that it would be just as hopeless to change this ex-bandit into a constitutionalist as to change the spots of a leopard. For five long years incessant struggles went on between the nationalist leaders and the Lu Yung-ting forces as to who should be the true masters of the two Kwangs. During this period Dr. Sun was forced out of Canton twice, Admiral Cheng was assassinated and Dr. Wu died from fatigue, worry and old age. But the foothold thus gained at Canton by the Nationalists has never been given up and ultimately serves as the base from which the successful Drive northward was started July last year and has now swept up to the shores of the Yellow River. In face of almost insurmountable difficulties Dr. Sun resolutely struggled first for a foothold, then for consolidation, and finally for the Drive northward. Although this undaunted leader passed away more than a year before the Drive was started, he had laid a firm foundation for this expedition. Some day we shall have a bard wielding his mighty pen to write an epic of this Herculean effort.

In this struggle first with the Lu Yung-ting forces, then while consolidation was going on with deserters of the Nationalist cause—notably Gen. Chen Kuing-min and his lieutenants—and finally when the Drive northward was on with the Wu Pei-fu, Sun Chuan-fang and Chang Tso-ling combination, the two objectives of the Nationalist party were never lost sight of, namely, to establish a genuine Republic wherein the wishes of the people should be supreme, and to revise the existing treaties upon the basis of equality and reciprocity. It is plain that this program must encounter two opposing forces: first, the various warlords of the country whose opportunities for enriching themselves at the expense of the State shall be stopped, and secondly, the vested interests of the various foreign Powers which thrived under the aegis of the unilateral treaties shall be deprived of such unwarranted protection. It is also plain that these forces would and did join hand to thwart the progress of the Nationalist movement. As a matter of fact it is through the active support of these foreign vested interests that have enabled the warlords to defy so long the genuine wishes of the Chinese people to bring about a united, strong central government that shall be amenable to the people. However, we must regard with sincere gratification that mankind on the whole is endowed with a strong sense of justice and fair play. The noble strife of the Chinese people for liberty and equality has slowly but steadily won the sympathy of the peoples of the various countries of the world despite the fact that some of their nationals, possessing vested interests in China, have energetically exerted their efforts to befool and confuse them so as to alienate this growing sympathy for us from them.

The Second Dissolution

As has been stated above, when the National Assembly was dissolved for the second time in 1917, the Nationalist leaders set up a government of their own at Canton. At this time the all-powerful Pei-yang party had still its grip over most of the country. The various satraps of the late Yuan Shih-kai had firmly established themselves in the different provinces. Gen. Feng Kuo-chang, one of the triumvirate of the Pei-yang party after the death of Yuan, who had been elected by the National Assembly as the Vice-President of the Republic through the machination of the party, was now installed as the President. Another of the triumvirate, Gen. Tuan Chi-jui, was called back to head the cabinet. By a clever political ruse by having China enter the Great War on the side of the Allies but for quite a different purpose from actively taking part in the War, Tuan obtained huge sums of money from the foreign powers by a postponement of the payment of the Boxer Indemnity for five years and from Japan, in addition substantial loans for industrial development of the country. These sums of money were neither applied for winning the War for the Allies nor used for industrial development of the country. They were on the contrary blatantly spent for the creation and equipment of new cohorts for the subjugation of the Nationalist movement. Fortunately for the latter, before Tuan completed his plan, war broke out between him and Chang Tso-ling, the redoubtable warlord of Manchuria. Nominally Chang was a

member of the Pei-yang party but his growing strength and favorable position led him into a quarrel with Tuan. After a short campaign Tuan was severely defeated thus marking the ascendency of Fengtien as a factor in the political activities of the country for the period under review.

Gen. Feng Kuo-chang soon served out his term of office as President of the Republic, as he only completed the term of five years begun with Yuan Shih-kai and continued by Li Yuan-hung. Through a bogus Parliament Hsu Shih-chang was then elected President of the Republic. Hsu was a leader of the Pei-yang party but he was also once a superior officer of Chang Tso-ling's when he (Hsu) was Viceroy of the Three Eastern Provinces (Manchuria), thus getting Chang's support as well. The defeat of Tuan temporarily halted the campaign against Canton. There was even a move to bring about an understanding with Canton. A peace conference was arranged between Peking and Canton and for several months some kind of parley was carried on in Shanghai between Mr. Tong Shao-yi representing Canton and Mr. Wang I-tang as representative of Peking. As was to be expected nothing came out of it because they represented two political views which admitted no compromise. We cannot accuse Abraham Lincoln as a man who was bent upon war. "With charity for all and with malice towards none" is certainly a fitting epitath for this great American. Yet in his debate with Douglas he once declared that his country could not be half free and half slave. China cannot be half under constitutional government and half under military dictatorship. The fight between the Nationalists and the militarists must be a fight to the finish.

Yuan's Aspirations to the Throne

The personal ambition of Yuan Shih-kai not only brought ruin to himself and chaos to his country but created an international question which later engaged the attention of the great Powers of the world and is not entirely settled up to the present day. Despite repeated efforts to the contrary. it was an open secret that Yuan's aspiration to the throne encouraged Japan to present to China the famous Twenty-one Demands in the spring of 1916. That Japan should have the temerity to advance such immoral claims upon China was also due to her belief that Europe was too much preoccupied with the Great War. Since the Boxer Movement this was the only overt act of aggression on the part of any foreign Power. But for these two reasons it was most unlikely that Japan would make such a rash move. It has done more to fan the dormant patriotism of our people than any other act of aggression on the part of a foreign Power.

While Canton set its face rigidly against Peking on home questions, it was willing to play the second fiddle on foreign affairs. Both at Paris and Washington it acted in conjunction with Peking. China as a whole rejected the Versailles Treaty on account of the Shantung clauses and agreed to the arrangement made at Washington for the rendition of Tsingtao and the Shantung railways by Japan to her. Her refusal to sign the Versailles Treaty was epoch-making, because by this action of hers it was announced to the world that she would never give away any rights to any Power. By the Washington arrangement she made the first milestone for the recovery of lost rights. At this time of the period a new influence came into play to help her take a positive step forward in the realization of the second objective of the Kuomintang political program, that of bringing herself with the other Powers of the world on the footing of equality and reciprocity.

In conjunction with the Allied Powers China signed a treaty with Austria at St. Germain, thereby putting her relations with Austria on the basis of equality and reciprocity. Subsequently, she signed a separate treaty with Germany along similar lines. Her diplomatic success with these two countries was the result of her having entered the Great War on the side of the Allies. She only got her due share in the spoils of war. The new influence referred to in the above paragraph came, however, from Russia. Following two declarations from that revolutionized country a conference was set up in Peking with a view of concluding an agreement based on equality and reciprocity. After several months of deliberation such an agreement was duly drawn up and signed between China and Russia. It produced genuine rejoicing in the heart of the Chinese people to have Russia as a friend on equal terms. To Canton it meant more than mere friendship. Revolutionary Russia was willing to, and did aid Canton to coordinate the various units of the government with technical experts and to train and furnish the Nationalist armies with the necessary desiderata, thereby enabling Canton to make the Drive northward a reality. It took four years of active preparation before the Drive was actually launched on July 15, 1926.

The Chili-Fengtien Fight

Meanwhile the political wheels in Peking continued to turn. Hsu Shih-chang was able to maintain his position for four years, during which time the only notable event on home affairs was the abortive effort to reach an understanding with Canton. Otherwise, the ship of state glided smoothly on. In foreign affairs China took a step forward in her diplomatic relations with Austria and Germany and in settling the Shantung question with Japan at Peking following the lines laid down in the Washington agreement. But by the fall of 1922 a political storm broke out on the return of General Wu Pei-fu from Hunan. The Chihli faction within the Pei-yang party became restive and resentful at the domination of Chang Tso-ling in the Peking government. It found in Wu a ready weapon to be hurled at the head of Chang. War soon broke out between them, generally known as the first Chihli-Fengtien fight, in which the erstwise Manchurian warlord suffered as swift a defeat from the hand of Wu as he once handed out to Tuan. In this fight General Feng Yu-hsiang played an important and effective part in turning the tide against Chang. Once more Chang Tso-ling was forced to retreat to his lair outside of the Pass, that is to say, back to Mukden on the other side of Shanhaikwan. From that time till the second Chihli-Fengtien fight towards the end of 1924 Chang Tso-ling had virtually a government of his own, lording over the three rich provinces of Manchuria and taking no orders from Peking. On foreign questions, however, he followed the example of Canton, by acquiescing in arrangements made by the Ministry of Foreign Affairs of the Peking government.

Chang's defeat marked also the exit of Hsu Shih-chang from the political arena. Gen. Li Yuan-hung was once more called back to be the Head of the State after much persuasion. With him came the original National Assembly which therefore met for the third time to complete their task of constitution-making. It took them another nine months to finish their work. The permanent Constitution was accordingly declared as adopted after going through the required three readings and including that particular chapter on local government on October 10th 1923, the anniversary of the founding of the Republic. Naturally, it was to be expected that there would be

much rejoicing in the country but there was not. The same Assembly besides sitting as the Constitutional Convention in adopting the Constitution, also sat as the Convention for the Election of the President. It was accused of having accepted bribes from Gen. Tsao Kun for his being elected President. That a majority of the members of the Assembly did receive bribes, was widely accepted although not legally proved. For this they committed an unpardonable sin against their country. They forfeited the confidence of the people and accordingly passed out of existence unmourned and, it is believed, forever.

The election of Tsao Kun to the Presidency of China was never popular, not only was he accused of using bribery for his election, but because of his low mentality and lack of qualification to fill the most important office of the land. Canton of course rejected him. Mukden did not accept him. Even Wu Pei-fu, otherwise his most loyal and staunch follower and supporter, did not favor his election. Only a coterie of his henchmen, for personal reasons and selfish ends, worked hard for him and succeeded in having him elected. He was accordingly installed on the same anniversary day. But during his incumbency in office for just about a year he was a mere puppet in the hand of his henchmen. The only event to be recorded here was the conclusion of a treaty with Russia whereby China for the first time entered into an agreement with a free state on terms of equality and reciprocity without resorting to war as she did in the case of Germany and Austria.

The Rise of Tuan Chi-jui

The mantle of Yuan Shih-kai in his long cherished but erroneously conceived desire to unify the country through sheer force of arms, first fell upon the shoulders of Tuan Chi-jui, was now taken up by Wu Pei-fu. As a first step towards its realization he gathered together a large force for the subjugation of Chang Tso-ling. Gen. Feng Yu-hsiang earnestly counselled against it. For this he incurred the displeasure of Wu and was accordingly assigned to an impossible task of marching his men in the dead of winter through the wilds of Jehol towards Kirin. Feng knew that Wu's campaign would be a failure, so he took his forces towards Jehol by slow stages. On receipt of Wu's defeat before the gates of Shanhaikwan, he marched his men back to Peking. Meanwhile Canton and Mukden had joined hands to oust Wu with the followers of Tuan Chi-jui assisting. Accordingly, Feng threw in his influence with this "triple alliance." As a prelude to the big fight between Wu and Chang in the north, there was already staged in the Yangtze valley a war drama between Kiangsu and Chekiang. Chi Hsieh-yuan, the Military Governor of Kiangsu supported Wu, while Lu Yung-hsiang, the Chekiang Military Governor, was on the side of Mukden and Tuan. Although Chi got the upper hand over Lu, the defeat of Wu in the north eventually eliminated Chi from the field of contest. On the assumption of Tuan Chi-jui as the Chief Executive of the Republic, Lu was appointed in the place of Chi while another warlord appeared on the scene in the person of Gen. Sun Chuan-fang who by forced marches swept his men through Chekiang after the heels of Lu and eventually ousted him from that province.

The events of 1925 happened in rapid succession, almost in kaleidoscopic quickness. No sooner was Tuan placed in the office of the Chief Executive than he turned a cold shoulder to Dr. Sun who came all the way from Canton to Peking in order to confer with him and other leaders of the "triple alliance" on state affairs. This betrayal had no doubt its effect upon his health and he soon succumbed to his chronic disease of kidney trouble. That wiry warlord from Manchuria thought his chance had come. Besides annexing Jehol and Chihli excluding the metropolitan district of Peking which was garrisoned by Feng's men, he had his men appointed over the provinces of Shantung, Anhui and Kiangsu. In this he overreached himself. Sun Chuan-fang with his characteristic quickness suddenly pounced upon Yang Yu-ting, the newly appointed Military Governor of Kiangsu, before the latter had scarcely settled himself at Nanking. After defeating Yang, Sun rushed his forces up the Tientsin-Pukow railway to the border of Shantung, sweeping before him also the newly appointed Military Governor of Anhui, Gen. Chiang Teng-hsuan. Soon thereafter Chang Tso-ling and Feng Yu-hsiang were in grips. There were sarpa engagemets round about Tientsin and all the why down the Tientsin-Pukow railway southward towards Hsuchow. Gen. Kuo Sung-ling, a native of Fengtien and one of the leading generals of Chang Tso-ling's camp came out in open revolt against his chief in order to save the Three Eastern Provinces from ruin through Chang Tso-ling's continuous warfare. Gen. Kuo actually battled his way from Luanho where he was stationed through Shanhaikwan along the Peking-Mukden railway almost to the gates of Mukden. But there he met his defeat and death. Then fortunes of war turned in favor of Chang. He carried out successfully a counter-attack against Feng with the help of Li Ching-ling and Chang Chung-chang, Military Governors respectively of Chihli and Shantung, who staunchly maintained their ground when their chief's forces were rapidly falling back before the onrush of Kuo Sung-ling's men.

Feng's Trip to Russia

At this stage one of the most strange phenomena happened. This could only happen in the field of politics, for politics has the knack of making strange bedfellows. After the defeat at Shanhaikwan during the second Chihli-Fengtien fight, Wu Pei-fu was, to all appearances, eliminated from the field. He succeeded in getting out of Tientsin and went to live on board a small gunboat near Yochow on the Yangtze River above Hankow. There he abided his time. A golden opportunity now presented itself. His arch-enemy, Chang Tso-ling, was now at the low ebb of his war fortunes and so was he. Through the efforts of middlemen, who seem to abound in the land of ours, the two old opponents were made friends and even had a short visit in Peking. By painfully gathering together his shattered forces, Wu joined hands with Chang and battered Feng at the Nankow Pass. Before the summer of 1926 Feng had to take his broken divisions to the high steppes of the north-western provinces of China, while he himself took a trip to Russia.

We are entering upon the last but most eventful phase of the decade under review. It opened with the ceremonial opening of the Nationalist Drive northward on July 15, 1926, from Canton as its base. Chang Tso-ling and Wu Pei-fu were in control of the Peking government with a regency cabinet. Chang was supreme in the Three Eastern Provinces, Chihli, Shantung and the three special areas of Jehol, Tsarhar and Suiyuan, while Wu rode astride the Peking-Hankow railway and controlled Honan, Hupeh, Shensi and Hunan. Sung Chuan-fang was the master of the provinces of Fukien, Chekiang, Kiangsu, Kiangsi and Anhui.

The first impact of the Nationalists forces with their foes naturally came in Hunan as the former made the Drive northward. In a remarkably short time they swept northward and drove Wu Pei-fu's men like a whirlwind scattering straws. Wu steadily fell back until he lost his foothold in Hupeh on the capture of Wuchang after a two-month siege. From Hupeh the Nationalists turned eastward and met the stubborn resistance of Sun Chuan-fang. For two months the battles were waged in Kiangsi but by the beginning of November Sun's back was broken and he retreated to Nanking. Meanwhile a second column of the Nationalist armies forced their way northward through Fukien, Chekiang and finally joined up with the first column coming eastward down the Yangtze River at Nanking. By the end of March this year Nanking fell into their hands. Here happened the most regrettable incident in the whole campaign which not only brought about a schism in the ranks of the Nationalists but very nearly brought an armed intervention from the foreign Powers. Through the stupidity of the communistic elements within the ranks of the Nationalists, a certain unit of the Sixth Army broke loose and attacked the foreign residents in Nanking. This was altogether unwarranted and uncalled for. Fortunately, General Chiang Chung-cheng (or Chiang Kai-shek as he is generally known) at once put a stop to it which prevented possible foreign intervention but which brought a sharp division among the leaders of the Nationalists. But for this lamentable incident the Nationalist forces would have in all probability reached Peking three months ago.

Feng Yu-hsiang's "Come Back"

There is one further aspect to be recorded before bringing this article to a close. It is the wonderful "coming back" of Gen. Feng Yu-hsiang upon the political stage.

That the Nationalists will in the course of time get in control of the whole country is a foregone conclusion. It will be hazardous to state the exact time when it is to be consummated. There may yet arise occasions of discord among the leaders, thereby prolonging the life of the Peking regime for some time. The forces under the flag of the Nationalists seem to grow in strength as the years roll by. Today we find Wu already eliminated while the Chang Tso-ling and Sun Chuan-fang combination has been reduced from ten provinces to five and those five provinces are the only ones that are not under the Nationalist government. In the phenomenal success of this gigantic struggle one cannot but form the following conclusions: that those who fight for a definite cause and with a determined purpose must ultimately win out: that paper bullets in the form of organized publicity is just as effective as lead bullets; that a civilian form of government must be evolved if it is to last; that a constructive program shall form the basis of progressive reforms of the country; and finally that foreign relations with China henceforth must be grounded on terms of equality and reciprocity.

Chinese Woman Named Chief Justice of Provisional Court

MISS Soumie Tcheng, who was recently appointed Chief Justice of the Provisional Court in Shanghai, in succession to Loo Hsin-yuan, was the first Chinese woman to become a lawyer. She received her legal education in Paris and is a member of the French bar in Shanghai. She was graduated from the University of Paris last year with the degree of *Docteur en Droit* and since her return to Shanghai, after engaging for a short time in the private practice of law, has been active in the affairs of the Nanking government, from which she received her appointment.

Miss Tcheng up until the time of her appointment to the Provisional Court bench, was chief judge of the Shanghai (Chinese) District Court and Procurate, where she instituted a number of excellent reforms.

From her earliest days Miss Tcheng associated herself with the reform and revolutionary movement in China. When the revolution broke out in 1911 she was in the forefront, among her exploits being to assist in the carrying of bombs.

After the Revolution she spent most of her time in France, pursuing her educational and legal studies. During her stay in France she was appointed by the Ministry of Justice a resident member of the Committee for the Investigation of the Judicial Systems of Europe and also served in a semi-official way at the League of Nations. During the Peace Conference at Paris she was also prominent as an adviser to the Chinese delegates.

Miss Tcheng took an active part in the Kuomintang "Purification" movement and was active in suppressing communistic activities in Shanghai, and her recent appointment is in recognition of her excellent services both as a jurist and as an administrator. Miss Tcheng speaks French and has a reading knowledege of the English language and is the author of several books in each, as well as in Chinese.

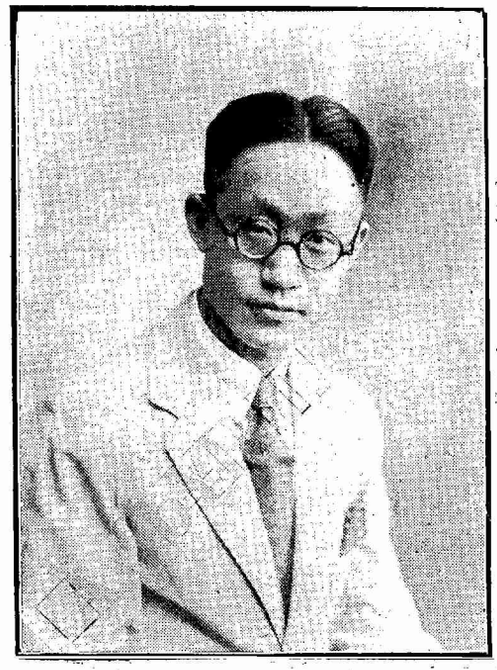
Miss Soumie Tcheng, Who Has Just Been Appointed Chief Justice of the Shanghai Provisional Court in Succession to Judge Loo Hsing-yuan, Was the First Chinese Woman To Become a Lawyer. Miss Tcheng Received Her Legal Education in Paris and Has Been Admitted to Practice in the French Court in Shanghai.

Chinese Favor "Moderate" Redemption of Shanghai

By G. Zay Wood,

Formerly Acting Commissioner of Foreign Affairs, Shanghai and Director of the Chinese Land Office

THE redemption of Shanghai is a question that must be solved sooner or later, and the solution lies largely in the hands of the Chinese themselves. That this appears to be the consensus of opinion is admitted on all hands. General Chiang Kai-shek, the man who was responsible for placing two-thirds of China under the Nationalist Government and who entertained as much anxiety for the redemption of Shanghai as any most enthusiastic Nationalist, made it quite clear that while he was hoping for the early return of the foreign settlements in Shanghai, hedid not, even at the height of his power, propose to take them back by force. He wished that the Chinese people should be prepared for the eventual restoration of the foreign settlements. At the inauguration ceremony of the first Mayor of Shanghai, which took place on the seventh of July this year, and to which he lent a good deal of dignity by his personal attendance, he made the following significant statement, after pointing out the special importance attached to the establishment of the Shanghai Municipal Government and the reasons for which General Hwang Fu was persuaded to take up the work. He said:



Mr. G. Zay Wood, the Writer of the Accompanying Article Who Voices the Moderate View of the Chinese in Respect to the Question of the Rendition of the Shanghai International Settlement, Is an American Returned Student, and Is the Author of Several Books Dealing With China's Treaty Relationships.

Must Build Fine Settlement

"We must set up a fine municipal government which should compare favorably with, if not better than, the foreign settlements in Shanghai, so that when the day arrives for the actual restoration of the settlements, we would, on our part, be quite prepared for it, and the foreigners themselves can set no further reason for declining it. The foreign settlements must be all returned, not Shanghai alone, and it lies with us either to hasten or to dealy the actual restoration."

One does not need to read between lines in order to appreciate the full significance of the statement. The Nationalist Government had persuaded General Hwang Fu to serve as the first Mayor of Shanghai, for it expected that he would be able to set up a fine municipal government which would serve as a preparatory step to the actual restoration of the settlements, disarming at the same time whatever objection or criticisms which the foreigners might have against the restoration. In other words, the authorities of the Nanking Government at the time, instead of resorting to forcible measures, proposed to win back the foreign settlements.

That this view was shared by General Hwang Fu, the Mayor of Greater Shanghai, is seen from his inauguration speech, when he said among other things:

"The main trouble with Shanghai is that in spite of its being the first commercial port in China, the wealth of the city—or the cream, so to speak—is located in the settlements. Outside of the settlements, business is not so prosperous and the population is not so dense. There is, therefore, great difficulty in raising funds to meet the constructive needs, and what has been styled as 'Greater Shanghai' is, when carefully analysed, but an empty name. For this very reason, the whole body of Shanghai people should double their effort and do their very best to help toward making the Municipal government a success so as to pave the way for the eventual restoration of the foreign settlements. Those who are jealous of our success shall have no opportunity to accuse us of being unable to redeem our promises."

Better Class Favors Moderation

This reasonable attitude appeared to be quite in consonance with the hopes and wishes of the Nationalist Government at Nanking as well as of the Chinese people in general. While every one has wished and hoped that this troublesome question of foreign settlements should be disposed of at the earliest moment possible and that the settlements should be returned to China without undue delay, the general opinion of the better class throughout the country has always been one of moderation. The people of Shanghai have welcomed the establishment of the new Municipal Government, partly because they have always looked for a better government to take care of the Chinese areas surrounding the settlements, and partly because they have been convinced that a better and more efficient municipal government would pave the way, as the Mayor had put it, for the eventual restoration of the foreign settlements.

There are those, of course, who always believe in resorting to forcible and strategic means to effect the restoration of the settlements. They were, however discredited, during General Chiang Kai-shek's time, and they are not likely to have their own way even now that General Chiang has retired from the military and political stage. The reunion of Hankow and Nanking will, when thoroughly worked out, result in a few changes in the personnel of the Nationalist Government. Whether this change of personnel may bring about a change in the policy of the Government with reference to the foreign settlements remains to be seen.

An Analysis of The "International" Settlement at Shanghai

By Manley O. Hudson, Bemis Professor of International Law, Harvard Law School; Member, Secretariat, League of Nations, Geneva

IN a declaration of American policy in China on January 26, 1927, the Secretary of State mentioned the fact that the United States "holds no concessions in China." His statement was widely challenged on the ground that the United States does participate in maintaining the International Settlement at Shanghai, and a reply distinguishing between a settlement and a concession brought a rejoinder from the *English Contemporary Review* that the obligation of defens is the same in either case. The incident emay have served to stimulate inquiry into the precise nature of the International Settlement at Shanghai and the degree to which the various Powers have assumed responsibility for its maintenance. Chinese demands for the restoration of foreign concessions and settlements, for example at the Paris Peace Conference, usually include this Settlement in such a way as to indicate that in Chinese opinion there is little difference between the two classes of territories. Is the United States, therefore, in the same position as other Powers which do have concessions, and does this position coincide with our oft-expressed policy of favoring China's territorial integrity?

Another reason for inquiry into the nature of the International Settlement may be the common assumption that experiments in international administration have always failed and that international government of a territory does not work. For more than sixty years the International Settlement and a French Concession have existed alongside at Shanghai, and they may be regarded as furnishing some evidence as to the results of the two types of administration. The two areas have an approximately contemporaneous history. The Concession is a European controlled area in an Eastern country, the Settlement is an internationally, and for most of its history a European internationally, controlled area in an Eastern country. Their inhabitants are not essentially different in race. If both are typical examples of their kind, they may be thought to afford a better basis of comparison than exists elsewhere in the world. Under some conditions, Shanghai would be an excellent place to test the relative merits of national and international government. Whether these conditions prevail may appear more clearly after a review of the records, chiefly as revealed in the official reports.

The "Great White Way" in Shanghai, Showing the Illumination at Night on Nanking Road Where Chinese Shopkeepers Use Millions of Electric Lights for Lighting and Advertising Purposes. This Constitutes Visible Proof that China Is Modernizing Her Methods of Merchandising, for Many of the Shops on Nanking Road Compare Favorably with Retail Stores in Western Lands.

The Community of Shanghai

Shanghai has a long history. It is said to have existed more than two thousand years ago, and throughout modern times it has been a port of importance. It is one of the five treaty ports opened to foreign commerce by the British treaty of Nanking in 1842, and it has become in recent years a great center of foreign interests, perhaps the greatest in the Orient. On a basis of tonnage, it ranks as one of the seven largest ports in the world; in 1925, it cleared more than 32,000,000 tons of shipping. It has become, also, a great center of population; if the various districts of Greater Shanghai be taken together--the International Settlement, the French Concession, the old city, Nantao, Chapei, part of Paoshan, Pootung and Woosung—it has a population of two million, of which the foreigners who are largely responsible for its modern development do not number more than 50,000.

In latter years, the foreign population has been greatly increased by the immigration of Japanese and Russians. In the 1925 census, which does not include the French Concession, the Japanese population was given as 13,804; while a quarter of a century ago, in 1900, it was only 736. The number of Japanese was more than doubled between 1900 and 1905, and again between 1910 and 1915. The same census gave the number of Russians as 2,766, though it is now estimated that 10,000 Russians have come to Shanghai since the Russian revolution. In 1915, the number of Russians was less than 400. The 1925 census combined with the census taken in the same year in the French Concession listed in Shanghai 8191 British nationals, 3093 Americans, 1506 Portuguese, 1174 French, 1154 Indians, 1040 Germans, 327 Danes, 280 Italians, and lesser numbers of more than thirty other nationalities. Shanghai is therefore a very cosmopolitan community, with wide world contacts, though more than ninety-five per cent of its population is Chinese.

The Basis of Foreign Control

The way for other foreigners was paved by the British in 1843. The first Sino-British treaty in 1842 had given to the British a right to reside in Shanghai without molestation or restraint "for the purpose of carrying on their mercanti e pursuits", and in 1843 a supplementary treaty provided more explicitly that to this end ground and houses should be set apart by the local officials in communication with the British consul. The boundaries of an English settlement between the Yang-King-Pang and Soochow creeks and fronting on the Whangpoo River, were agreed upon in 1845, and in the same year Land Regulations were promulgated for its ordering. Meanwhile in 1844, both the United States and France had concluded treaties with China securing to their nationals very similar privileges of residence, and in 1849 the French followed the British example and delimited an area on the other side of the Yang-King-Pang which soon came to be known as the French Concession. The Americans established a center in Hongkew, across the Soochow creek from the English Settlement. An American missionary, Bishop Boone, seems to have attempted to make this an American Settlement in 1848 but though it came to be locally known both as the Hongkew Settlement and the American Settlement, no agreement for its delimitation as an American residential area was made until fifteen years later.

The original intention may have been that these areas, at least the British and the French, should be kept exclusively for the people of a single nationality. For a time Chinese were excluded from residence in them. In 1846, the American consul created an incident when he hoisted an American flag inside the English Settlement. But the exclusive policy was soon abandoned. When disturbances arose in other parts of Chinese territory many Chinese flocked into these areas, particularly during the Triad rebellion in 1853 and the Taiping rebellion a few years later. An American consul urged that they be permitted to stay. The abandonment of attempts at exclusion called for a closer cooperation within the three foreign areas. In 1854, new Land Regulations were promulgated by the British, French and American consuls, all three of whom attended a meeting of the land renters held in that year in the English Settlement. Though the question of defense was not agreed upon, the local French consul seems to have consented to amalgamation and for possibly a few years the English and French areas were under common control; but the consul's action was not ratified by the French Government and the consent was later withdrawn. There must have been some separate control in the Hongkew settlement, for its boundaries were delimited with the participation of the American consul on June 25, 1863; and at a meeting of the land-renters held at the United States consulate on September 28, 1863, a committee on roads which had been appointed on May 29, 1863, recommended that the management of the "Hongkew settlement" be transferred to "the existing municipal council in the English Concession". When the transfer was actually effected in the following month, formal amalgamation of the two areas became accomplished.

No Separate American Settlement

There seems to be little justification for saying that a separate American Settlement existed at Shanghai, except during the four months from June to October, 1863; and no record of the American Government's sanction of the action taken by the consul on June 25, 1863, is known to the writer. The combined English and Hongkew settlements were locally known for a long time as the English and American settlements, or as the English-American Settlement. An election notice issued on November 6, 1865, refers to the "English and American Settlements". In 1893, an American consul assisted in erecting boundary stones which referred to the "American Settlement". And as late as July 15,1899, a reference was made to the "American and English Settlements", as well as to "the municipality of the Anglo-American Settlements", when the American consul assented to the extension of the settlement boundaries. But in more recent years the name in common use is the International Settlement, though the official title still remains the "Foreign Settlement at Shanghai North of the Yang-King-Pang".

Government of the International Settlement.

The International Settlement is governed under a municipal charter called the "Land Regulations", adopted in 1869 with significant amendments and additions made in 1898. These were based upon a revision of the Land Regulations of 1854, to which a Chinese local official—the Taotai—had agreed under the pressure of the disturbed conditions then existing in China. It was provided in the Land Regulations of 1854 that any proposed additions or modifications should be "consulted upon and settled by the foreign consuls and intendant of circuits in communication together, who shall equitably decide thereon, and submit the same for confirmation to the representatives of their respective countries in China and to the

Chinese Imperial Commissioner managing the affairs at the five ports". In spite of this provision, however, the Land Regulations of 1869 were promulgated without the previous approval of the Chinese authorities, having been provisionally agreed to by the American, British, French, German and Russian representatives at Peking. When they were amended in 1898, the Viceroy declared through the Taotai that the Land Regulations were not of interest to him, but "should be satisfactorily arranged between the Municipal Council and the Consular Body". In May, 1899, when the boundaries of the Settlement were extended, the Taotai issued a proclamation that "the entire area of the International Settlement shall be within municipal control, excepting temples founded by Imperial sanction and sites employed officially by the Chinese Government; with these exceptions, the existing regulations shall operate and must be obeyed". The present Land Regulations must therefore be taken to have been agreed to by a local and somewhat subordinate Chinese official, though it is only by acquiescence that the more responsible Chinese authorities are committed by them.

The Foreign Rate-payers

Under these Land Regulations, the chief agency of government in the International Settlement, is the body of foreign rate-payers. An annual meeting of foreign rate-payers is held on the call of the consuls of the Powers which enjoy exterritoriality. These meetings are often poorly attended, and frequently in recent years a quorum has been lacking. In 1926, the meeting was attended by only 377 rate-payers out of a total of over 2500, and those attending had but 605 votes. At the latest meeting on April 13, 1927, 547 rate-payers were present out of a possible 2368, having a total of 790 votes out of a possible 2688. Non-resident rate-payers may vote by proxy. The records of the annual meetings show little attention given to the details of municipal affairs, which must in the nature of things be left to a smaller executive agency.

In 1869, an earlier committee on roads and jetties was succeeded by an "executive committee or council", elected by the foreign rate-payers with certain property qualifications. This election is sometimes, as in 1927, arranged in a perfunctory manner, for if the number of nominees does not exceed the number of members they are declared to be elected without any actual voting. The Municipal Council, as it is now called, exercises large powers in the management of the Settlement's municipal affairs. It is limited only by the Land Regulations, and the limit can be enforced only by a "Court of Foreign Consuls", which was created as an "experiment" in 1869. This so-called Court is in reality a committee of the Shanghai Consular Body before which the Council may be sued. It might have become an administrative tribunal with large powers of review, and even of general supervision, but it has never been much employed and in recent years it has heard but few cases and of relative unimportance. The Council is, therefore, to a large extent, independent. It is responsible only to the rate-payers to whom it reports each year, and she latter are responsible in turn neither to the Contular Body nor to their governments. The Settlement is not the "free city" which was once proposed, nor is the term "Republic of Shanghai" which is sometimes used altogether apt; but it enjoys a large measure of independence from outsiite control.

It is quite geneerally assumed that the Consular Body exercises some kind of superintendence over the Municipal Council. But the eonsuls' powers under the Land Regulations are very limited. They create and compose the "Court of Foreign Consuls". They issue the calls for meetings of the rate-payers, and may call special meetings. They fix the dates for elections of members of the Council. They per form certain functions with respect to the registration of land transfers. They must assent to certain changes in the Bye-Laws. They conduct the relations of the Council with Chinese authorites outside the Settlement. But they have no general powers over the action of the Council. When they do act, the Consuls are responsible to their diplomatic superiors at Peking and to their governments. No reports of their meetings for dealing with local affairs are regularly published, and information concerning their action is difficult to obtain,

Is the Settlement International?

The Municipal Council is often said to be an international body, and the Settlement is supposed to have an international government. The approximate numbers of rate-payers by nationality for 1925 were recently stated in the House of Commons in London; it was said that in addition to twenty unclassified rate-payers, twenty-two nationalities were represented among them. Of a total number of 2,742 rate-payers, 1,157 were listed as British, 552 as Japanese and 328 as Americans. At present, five of the nine members of the Municipal Council are British, two are American and two are Japanese—a second Japanese having recently replaced a sixth British member. Formerly, before their exterritoriality was abolished, there were German and Russian members of the Council. A member has no strictly representative capacity with reference either to his government or to his co-nationals among the rate-payers. The municipal staff is very largely British, and the local attitude that the British control the Settlement's affairs is amply borne out by the facts. No person of other nationality holds any of the higher posts in the administration. The commissioner general is British, as are also the highest officials in the volunteer corps, the fire brigade, the police force, the health department, the public works department, the electricity department, the sewage disposal department, the finance department and the Secretariat. The director of the municipal band, however, is Italian. A recent Shanghai directory listed 1076 municipal employees, of whom 965 were British; it showed but four Americans holding responsible positions. It did not include 792 Sikhs from India serving in the police force in February, 1927. In recent months, much has been made of the fact that an American is now chairman of the Council, as indicating the international character of the Settlement: but he holds that position largely as a result of British support which he has in no way alienated.

On the other hand, when the Shanghai Consular Body acts with reference to local affairs, it is clearly international. The local consular representatives of Austria, Germany, Finland and the Union of Socialist Soviet Republics do not participate, though the German community is relatively large. But most of the "treaty Powers" are represented, and at the present time (May 1, 1927) the Consular Body is composed of the consuls general of the United States of America, Belgium (in spite of the question whether her treaty is in force). Brazil, Denmark, France, Great Britain, Italy, Japan, The Netherlands, Norway, Portugal, Sweden and Switzerland, and the consuls of Mexico and Spain. The participation of the French Consul-General is hardly more than formal because of the existence of the French Concession. In 1925, there were but 27 Brazilians listed in the

census, and the Mexicans, if any, were too few to be separately listed. But these countries assist in giving the Settlement its international character.

A Conspicuous Void

One country is conspicuous in this list by her absence. That is China. In 1925, the total population of the Settlement was 840, 226, and of this number, 810,278, more than ninety-six per cent, were Chinese. But the Chinese have no part in the government of the Settlement, except since the beginning of 1927 in their partial control of the new Provisional Court. Chinese rate-payers are unrepresented at the meetings of the rate-payers of the Settlement They have recently formed a Chinese rate-payers association, but it is without power. Chinese are not eligible under the Land Regulations to membership in the Council, and it has never had a Chinese member. In 1863, the Powers' representatives at Peking were agreed that there should be "a Chinese element in the municipal system," but they changed their minds before it was arranged. Agitation for Chinese "representation" on the Council has not abated since 1905. Proposals to this end were defeated by the foreign rate-payers overwhelmingly in 1920 and 1923. A Chinese advisory committee, created in 1921, never exercised much influence, and after the incident of May 30, 1925, its members all resigned. After the situation reached a crisis in 1926, the ratepayers voted in favor of adding three Chinese members to the Council, but that number no longer satisfies the local Chinese, who now demand at least equal representation with the foreigners. No arrangement has yet been consummated, and the *North China Daily News* still urges "Chinese ignorance of municipal affairs" as a reason for caution and moving slowly.

If the Settlement is international, it is so in spite of the British dominance of its administration and the exclusion of the Chinese from any participation.

Some Results of the Administration

The International Settlement is in many respects well governed. It has clean streets, it has extensive municipal services, and its affairs are generally efficiently managed. Its annual report might well be taken as a model elsewhere. Perhaps there is some extravagance; the foreign staff receive high salaries, and very liberal provision is made for such privileges as "long leave". Some incongruous things exist; for example, the British chief clerk of the Provisional Court is better paid than the Chinese judges because he is a municipal officer; a British ex-commissioner of police whose resignation was forced by events following the incident of May 30, 1925, receives a pension of £1500 a year. But these are details. The Settlement is on the whole governed by Western standards, and it doubtless has the best municipal government to be found on Chinese territory. Its being called a "model settlement" is not without reason.

But it is governed in the interests of a small minority of its inhabitants. In many items, its municipal revenues are expended largely for the benefit of the foeigners. The Chinese pay a large per cent of the taxes. In 1925, the general municipal rate which is a large source of revenue was payable on 4,537 foreign houses, and on 65,471 Chinese houses; in 1926, the numbers were 4,627 and 71,122 respectively. The income from this rate in 1925 was 1,763,385 taels from foreign and 2,021.706 taels from Chinese houses; in 1926, 1,833,968 taels from foreign, and 2,188,356 taels from Chinese houses. The land tax is less of a barometer because much of the land held in foreigners' names is beneficially owned by Chinese. When license fees of all sorts are taken into account, it seems a conservative estimate that the Chinese pay not less than sixty per cent of the taxes, and the actual figure may be considerably larger. Yet a considerable portion of this revenue is expended in such a way that the ratio of benefit to Chinese and foreigners is reversed. Each year about 500,000 taels are expended on education, of which about seventy per cent goes for schools for foreign children. The absence of any "absolute duty to undertake the education of Chinese children" was stressed by two special commissioners reporting in 1911 and 1924. Comparative expenditures on hospitals are in much the same proportion. A municipal library maintained at public expense keeps only foreign books, and but 20 out of about 600 susbscribers are Chinese. If the Chinese pay sixty per cent of the taxes, they do not get forty per cent of the benefit of special expenditures where distinctions are made between the two groups of the Settlement's population.

The question of admitting Chinese to the public parks, maintained out of public funds, has recently become acute. The Land Regulations empower the Council to create and maintain roads and public gardens, "provided always that such roads and gardens shall be dedicated to the public use, and for the health, amusement and recreation of all persons residing within the Settlement". This is taken to mean all foreing persons; and the parks are closed to Chinese—old residents say that the prohibition formerly read "Chinese and dogs". If the construction can be defended legally, it is bitterly resented by many Chinese and serves as one of the pin-pricks which keep anti-foreign feeling festering. "Serious consideration" has been given to the question by the Council for several years past; a committee reported in favor of admitting the Chinese, but the rate-payers assembled on April 13, 1927, feared precipitate action and stipulated that they must have another chance to consider the matter when conditions are less disturbed. The Chinese continue, therefore, to be deprived of hearing the open-air concerts of the municipal band which is maintained out of public revenue. Elsewhere, it is chiefly the poorer people who depend upon public parks, but in Shanghai most of the proposals for admitting the Chinese would exclude he coolies in the Settlement.

Council Embarrasses Powers

Such questions cannot fail to have repercussions on the relations of foreign Powers with China. No infrequently have the actions of the Council seriously affected friendly relations with China and even with other countries. Roads, leading outside the International Settlement are always a bone of contention. The Council has now taken under its control 43 miles of roads outside the Settlement boundaries, and their policing entails many opportunities for friction. It is for the protection of these roads, and foreigners living on them outside the Settlement that foreign troops are now (May 1, 1927) stationed in the surrounding territory. A few years ago the Council sent its own forces into Chapei, outside the Settlement, to seize an occupied place. The question of roads is bound up with that of extension of the Settlement boundaries. They are no doubt cramping, and in a normal situation ought to be extended. But an effort to extend them failed in 1914, because of the Chinese fear of encroachment. Control of roads is made a substitute for extension,

(*Continued on page 86*)

The Problem of Municipal Government at Shanghai

(An interview with Gen. Hwang Fu, the First Real "Mayor" of Shanghai).

IN spite of their fervent hopes and wishes, the people of Shanghai are destined to be without a good and efficient municipal government for some time to come. When General Hwang Fu, the first Mayor of Shanghai, resigned he left the Municipal Government of Greater Shanghai—the handi work of General Hwang Fu—without a directing genius when it was hardly three months old. Like a child having just made her advent into this ruthless world, she was deprived of the caress and attention of her beloved mother and left in indifferent hands to fight her struggle for existence.

It has been pointed out that the Municipal Government as it is organized at present is somewhat bigger in scale than is warranted by its actual work,andthat a number of departments and bureaus will either be abolished altogether or amalgamated with the more important ones in order to cut down the administrative expenses of the Government. The Provincial Government of Kiangsu has submitted the question to the Nationalist authorities for consideration, and it has been suggested that the running expenses for the Shanghai Municipal Government should not exceed the sum of $80,000 a month. That this is practically impossible is quite clear to those who know anything about the municipal finances. The monthly pay for the police force alone—which forms but one of the ten bureaus of the Municipal Governent--exceeds $100,000. The maximum amount of $80,000 suggested is, therefore, hardly sufficient to pay for the police.

Gen. Hwang Fu, Who Succeeded Dr. V. K. Ting as the First Mayor of the Chinese Section of Shanghai or as it Is Known Among the Chinese, The Shanghai-Woosung Special Administrative District. Gen. Hwang Fu Has Traveled Extensively In America and Europe and Has Written Several Books Dealing with European Conditions Following the World War.

But these are so far confined to the realm of mere recommendations. Whether they are to become realizations or not remains to be seen. They are at best questions of secondary importance. The fundamental problem is: what is to become of the Municipal Government of Greater Shanghai? In view of the fact that the Municipal Government of Hangchow was completely overthrown in the very midst ofthe political storm following upon General Chiang Kai-shek's retirement, the problem raised is somewhat difficult to solve. Of course, nothing serious would ever happen if General Hwang Fu could be prevailed upon to remain at his post. But this is obviously impossible. General Hwang is a man of principle as well as of far sight. He may be called upon to make any personal sacrifice, but he can never be persuaded to do anything against his own conviction.

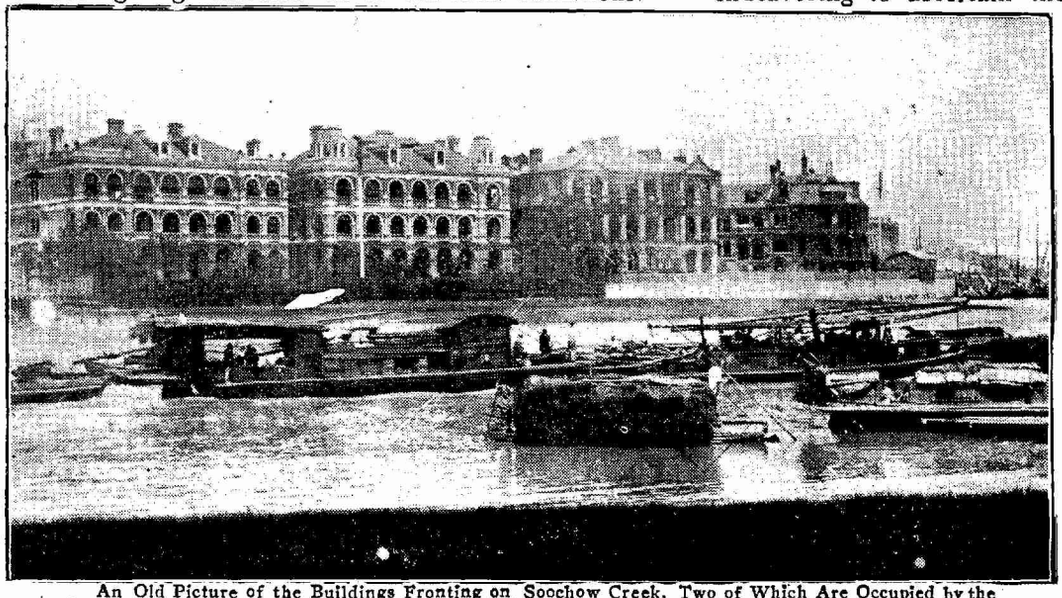
There is, however, at least one consolation if the present Municipal Government, or the skeleton of it, is permitted to remain. General Hwang Fu, the first Mayor of Shanghai, has already laid down the foundation of a sound government. Although by no means an expert on municipal matters, he has, by his personal integrity, by the meticulous attention he paid to the problems under his charge, and by a scrupulous choice of his staff, set up a government cleaner and in better working condition than anything that can be found throughout the length and breadth of China. As a man who enjoyed the highest honor in the political world—having been twice Minister of Education, Minister of Foreign Affairs, Minister of Communications, Acting Premier, exercising at the same time the power and authority of the President, he can add nothing by accepting the mayoralty of Shanghai, either to his honor or to his prestige. He did not, however, belittle his work, and during the short period of two months, he did all he could for the Shanghai people. The construction of a new bridge was ordered, to take the place of the old one which had collapsed. He ordered the building of a new market shed at the West Gate, the old one having also collapsed. Funds have been set aside for both purposes. He authorized the payment of interest on the Chinese municipal bonds issued during the militarist regime. Sufficient funds were raised by his personal effort for the pay of the police force who are responsible for the maintenance of peace and order in Shanghai, There are many other things which he did during his short tenure of office, such as the reorganization of the public schools in Shanghai, changing the lighting system in Chapei and in Nantao, and so forth. For all these purposes, he did not increase the burden of the Shanghai people by a single cent. He raised the necessary funds by his own personal effort. Before he resigned, he left enough money for the Municipal Government to "carry on" yet for two more months. It is, therefore, not too much to say that General Hwang Fu, the first Mayor of Shanghai, did all he could for Shanghai. On the one hand, he has set an example of clean administration, and on the other, he has sown the seed of a good and efficient municipal government, such as has been hoped for by the Shanghai people. It remains but for those coming after him to water and to fertilize the seed to make the Municipal Government of Greater Shanghai grow into full blossom.

G. Z. W.

The Legal Basis of The Municipality of Shanghai

This article, by a Former Member of the Faculty of the Comparative Law School of Shanghai, was written some time ago, but most of the points touched are still of vital importance. Owing to limitations of space paragraphs with no direct bearing on the present situation have been eliminated.

IN view of the recent thought and discussion concerning our local government, as a friend of China, and as a Christian citizen—a ratepayer representing property owned by our Methodist Episcopal Church, South, and therefore both intensely interested, and sharing in the responsibility for the kind of government that is maintained here, the writer has been giving consideration to our local conditions.



An Old Picture of the Buildings Fronting on Soochow Creek, Two of Which Are Occupied by the American Consulate-General and United States Court today. This Picture Was Taken in 1905 Before the Buildings Were Occupied by the United States Government. It Is on This Site that the American Government Hopes Some Day To Construct a Modern Building for the Housing of its Offices Here.

The effort has been to examine all of the Treaties under which foreigners of English and American nationality have been given exterritorial rights, as well as other available data which might have a bearing on this subject. It is not claimed that the examination of material has been exhaustive. Such research would call for time, money, and opportunity for investigation which have not been at the disposal of the writer. But it is believed that the legal conclusions suggested are sound. In this short paper, not even a brief historical *resume* of the growth and development of Shanghai into its present form will be attempted.

For our city council the writer has both sympathy, and very great appreciation,—sympathy for them in their efforts to maintain a government under trying conditions, with as many different systems of law in force as there are nationalities represented (twenty odd, and then others that fall under the head of miscellaneous); and a very real sense of appreciation of the self sacrificing spirit that exists in the men who without other compensation than that of the consciousness of service rendered to their neighbors and their day and generation, give without stint of their time and energy for the common good; and also an appreciation of the splendid government that they have maintained for our great city of Shanghai.

Nor would any citizen of this thriving port of the East be wanting in appreciation of the high order of service that has been rendered by our Consuls and by our Ministers, from the earliest days down to the present.

But it is presumed that no one would be heard to maintain that our local government is either perfectly organized, or perfectly conducted. And no honest and thoughtful man is ever averse to investigating and endeavoring to ascertain the true conditions under which he lives. Nor, having ascertained them as best he can, does he hesitate to bring them under the searching gaze of public opinion, for further scrutiny and discussion in order that improper conditions may be rectified, wrongs righted, and justice done to all parties affected by reason of those conditions.

Chinese Not Aggressive

And first, a word as to our Chinese friends. As is apparent from their history, they are not a people disposed to the use of force. As the writer has learned them, they do not have nor are they by nature drawn to habits of aggression. Although having a teeming population, they have not attempted by force or fraud to acquire or dominate adjoining or outlying territory of others. They are most peaceable, and have been very patient under distressingly trying conditions. Even though there was a Boxer uprising, it was not for outward, aggressive action, but because of the tantalizing fear that incomprehensible foreign influences were in some subtle way affecting the integrity of the home-land.

Force gave to Egypt, and to Babylon, and to Greece, and to Rome for the time an apparent strength. But an outward show of physical strength with corruption gnawing at the vitals does not constitute true greatness. The Christian civilization of today is different from that of Greece and Rome,—and greater. In the days of these ancient governments, and for a long time after, every man's house was truly his fortified castle. With moat and wall the citizen bade defiance to the world and gave protection to his family and dependents. And with similar show of force the nation maintained its integrity. It was neither justice nor the law that provided safety, but it was the good right arm, and the trusty sword, and every citizen was a walking arsenal. Conditions, however, have changed since those dark days. Now men do not go armed. They depend upon the justice of their cause and upon

the law as administered in the courts to maintain their right. It is only the highwayman and the robber who refuse to recognize undefended right and who must be opposed with the sword. Conditions have changed. They have changed the world over. They have changed in China The ideals which made possible the discussion of and the actual framing of the pact that gave birth to the League of Nations are a far reach even from August 29th, 1842 when the first British treaty with China was made at Nanking on board His British Majesty's ship *Cornwallis*. Then, there was a wall of superstition and ignorance surrounding China, separating her from the world, and making her people fearful and jealous of every movement of the foreigner. Today, this wall is all broken and crumbled away. And the people not only do not oppose,—but they ask the good offices and kindly assistance of those nations whom they can trust. On the other hand, there is nothing in China' past history, nor in her present condition, nor ins the attitude of the Chinesepeople towards the foreigner that gives reasonable ground for distrust or suspicion of them. China's spirit is to fully protect the foreigner. Should not we, on our part; cease to trench upon her sovereignty, and respect her national rights? Is it not time that we said to China, "We sympathize with you; you have a difficult road before you; you have 400,000,000 of citizens to educate and Christianize; this is nc small,—no easy task; but it is the only way, and we are with you; you will doubtless make mistakes; all other nations have; but we will not laugh at yot when you do make them, nor will we take advantage of them we will treat you like a big and true brothre in the family of nations now get busy and be one?";

A View of the Shanghai Bund Showing the German Iltis Monument. This Picture Was Taken about 1905. Practically the Entire City of Shanghai Has Been Rebuilt into a Modern Metropolis Since This Picture Was Taken. But the Shanghai System of Government Remains the Same as it Was When this Picture Was Taken and Even Many Years Previously.

The Status of Shanghai

With this sympathetic feeling, might we not begn at home, here in Shanghai, and examine our statuis, to see if we have been and are at present being as, considerate of China as we might have been and should be?

We begin our examintion first with the Treaties and propose to quote from them such extracts as might bear upon Shanghai, or upon the right of exterritoriality.

There seem to be five treaties that China has made with Great Britain, and four that she has made with the United States, from which quotations may be relevant.

Those made with Great Britain, are:
August 29th, 1842, The Treaty of Nanking
October 8th, 1843, The Treaty of the Bogue
June 26th, 1858, The Treaty of Tientsin,
September 13th, 1876, The Treaty of Chefoo
September 5th, 1902, The Treaty of Shanghai

Those made with the United States of America, are:

July 3rd, 1844, The Treaty of Wanghia
July 18th, 1858 The Treaty of Tientsin
July 28th, 1868, The Treaty of Tientsin
October 8th, 1903, The Treaty of Shanghai

1. The British treaty of August 29th, 1842, signed at Nanking, provides, in Art. II, that "His Majesty the Emperor of China agrees that British subjects, with their families and establishments, shall be allowed to reside, for the purpose of carrying on their mercantile persuits, without molestation or restraint, at the cities and towns of Canton, Amoy, Fuchau-fu, Ningpo, and Shanghai."

And in Art. V of this same treaty, the British merchants are given authority "to carry on their mercantile transactions with whatever persons they please;"

2. The British treaty of October 8th, 1843, of the Bogue, was supplementary to the above. It provided among other things for the enjoyment of the privileges of the most favored nation. And it referred to trade only at the five ports. Being embraced in and improved upon by the subsequent treaty of 1858 of Tientsin, it was abrogated by that treaty.

e3. The American treaty of July 3rd, 1844, signtd at Wanghia, provides, that "she citizens of the Unied States are permitted to frequent the five ports of Kwangchau, Amoy, Fuchau, Ningpo and Shanghai, and to reside with their families and to proceed at pleasure, with their vessels and merchandise to or from any foreign port, and from either of the said five ports to any other of them." (Art. III, Treaty of 1844.)

And in Art. XVII of this same treaty, it is further provided, that "Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall enjoy all proper accommodation in obtaining house and places of businesst, or in hiring sites from the inhabitants on which to construct houses and places of business, also hospitals, churches and cemeteries. The local authorities of the two governments shall select in concert the site for the foregoing objects, having due regard to the feelings of the people in the location thereof; and the parties interested will fix the rent by mutual agreement, the proprietors on the one hand not demanding an exorbitant price, nor the merchants on the other (un) reasonably insisting on particular spots, but each conducting with justice and moderation."……

Further, in Art. XIX, it is provided that "All citizens of the United Stntes in China peacably attending to their affairs, being placed on a common footing

of amity and goodwill with subjects of China, shall receive and enjoy for themselves, and everything appertaining to them, the special protection of the local authorities of government, who shall defend them from all insult or (in) jury of any sort on the part of the Chinese. If their dwelling or property be threatened or attacked by mobs, incendiaries, or other violent and lawless persons, the local officers, on requisition of the Consul, will immediately dispatch a military force to disperse the rioters, and will apprehend the guilty individuals, and punish them with the utmost rigor of the law."

And again in Art XXI. "Subjects of China, who may be guilty of any criminal act toward citizens of the United States, shall be arrested and punished by the Chinese authorities according to the laws in China. And citizens of the United States, who may commit any crime in China, shall be subject to be tried and punished only by the Consul or other public functionary of the United States thereto authorized, according to the laws of the United States. And in order to the prevention of all controversy and disaffection, justice shall be equitably and impartially administered on both sides."

And in Art. XXIV, among other things, it is provided "And if controversies arise between citizens of the United States and subjects of China, which cannot be amicably settled otherwise, the same shall be examined and decided conformably to justice and equity by the public officers of the two nations acting in conjunction."

And Art. XXV, "All questions in regard to rights, whether of property or person, arising between citizens of the United States in China, shall be subject to the jurisdiction, and regulated by the authorities of their own government. And all controversies occurring in China between citizens of the United States and the subjects of any other government shall be regulated by the treaties existing between the United States and such governments respectively, without interference on the part of China."

And Art. II sets out among other things, that "if additional advantages (to those enumerated in this Article) or privileges of whatever description be conceded hereafter by China to any other nation, the United States and the citizens thereof shall be entitled thereupon to a complete, equal, and impartial participation in the same."

4. The American treaty of June 18th, 1858, signed at Tientsin, provides in Art. XI almost word for word as is found in Articles XIX and XXI of the treaty of July 3rd, 1844, as given above, and then adds, "Arrests in order to trial may be made by either the Chinese or the United States authorities."

And in Art. XII of this same treaty it is set out that "Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall be permitted to rent houses and places of business, or hire sites on which they can themselves build houses or hospitals, churches and cemeteries. The parties interested can fix the rent by mutual and equitable agreement; the proprietors shall not demand an exorbitant price, nor shall the local authorities interfere, unless there be some objections offered on the part of the inhabitants respecting the place. The legal fees to the officers for applying their seal shall be paid. The citizens of the United States shall not unreasonably insist on particular spots, but each party shall conduct with justice and moderation."....

Art. XIV also reaffirms the rights of citizens of the United States to reside in and frequent Shanghai and other ports.

5. The British treaty of June 26th, 1858, signed at Tientsin, provides for the opening of other ports to trade in addition to those mentioned above, and says of British subjects, in Art. XI, that "They are permitted to carry on trade with whomsoever they please, and to proceed to and fro at pleasure with their vessels and merchandise".

And in Art. XII it is said that "British subjects, whether at the ports or at other places, desiring to build or open houses, warehouses, churches, hospitals, or burial-grounds, shall make their agreement for the land or buildings they require at the rates prevailing among the people, equitably, and without exaction on either side."

Art. XV says that "All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British authorities."

Art. XVI. (See treaty of Sept. 13 1876, signed at Chefoo, below.)

Art. XVII. "A British subject having reason to complain of a Chinese must proceed to the Consulate and state his grievance. The Consul will inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Chinese have reason to complain of a British subject, the Consul shall no less listen to his complaint, and endeavor to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Chinese authorities that they may together examine into the merits of the case, and decide it equitably."

Art. XVIII. "The Chinese authorities shall at all times afford the fullest protection to the persons and property of British subjects, whenever these shall have been subjected to insult or violence. In all cases of incendiarism or robbery, the local authorities at once take the necessary steps for the recovery of the stolen property, the suppression of disorder, and the arrest of the guilty parties, whom they will punish according to law."

The American Treaty

6. The American treaty of July 28th, 1868, signed at Washington, says: Art. I. "His Majesty the Emperor of China, being of the opinion that in making concessions to the citizens or subjects of foreign powers, of the privilege of residing on certain tracts of land, or resorting to certain waters of that Empire for purposes of trade, he has by no means relinquished his right of eminent domain or dominion over the said lands and waters, hereby agrees that no such concession or grant shall be construed to give to any power or party, which may be at war with or hostile to the United States, the right to attack the citizens of the United States, or their property, within the said lands or waters; and the United States, for themselves, hereby agree to abstain from offensi ely attacking the citizens or subjects of any powev or party or their property, with which they may br at war, on any such tract of land or waters of the seaid Empire. But nothing in this article shall be construed to prevent the United States from resisting an attack by any hostile power or party upon their citizens or their property."

"It is further agreed that if any right or interest in any tract of land in China has been, or shall hereafter be granted by the government of China to the United States or their citizens for purpose of trade or commerce,—that grant shall in no event be construed to divest the Chinese authorities of their right of jurisdiction over persons and property within said

tract of land except so far as the right may have been expressly relinquished by Treaty."

7. The British treaty of September 13th, 1876, signed at Chefoo, in Section II, (ii.), says: "The British Treaty of 1858, Article XVI, lays down that Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by Chinese authorities according to the laws of China.

"British subjects who may commit any crime in China shall be tried and punished by the Consul, or other public functionary authorized thereto, according to the laws of Great Britain.

"Justice shall be equitably and impartially administered on both sides.'

"The word 'functionary authorized thereto' are translated in the Chinese text 'British Government'.

"In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghai, with a special code of rules which it is now about to revise. The Chinee Government has established at Shanghai a Mixed Court; but the officer presiding over it, either from lack of power, or dread of unpopularity, constantly fails to enforce his judgments.

"It is now understood that the Tsungli Yamen will write a circular to the Legations, inviting Foreign Representatives at once to consider with the Tsungli Yamen the measures needed for the more effective administration of justice at the ports open to trade."

(iii.) "It is agreed that, whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to be present at the investigation.

"To the prevention of misunderstanding on this point, Sir Thomas Wade will write a note to the above effect, to which the Tsungli Yamen will reply, affirming that this is the course of proceeding to be adhered to for the time to come.

Mixed Cases

"It is further understood that so long as the laws of the two countries differ from each other, there can be but one principle to guide judicial proceedings in mixed cases in China, namely, that the case is tried by the official of the defendant's nationality; the official of the plaintiff's nationality merely attending to watch the proceedings in the interests of justice. If the officer so attending be dissatisfied with the proceedings, it will be in his power to protest against them in detail. The law administered will be the law of the nationality of the officer trying the case. This is the meaning of the words *hui fung*, indicating combined action in judicial proceedings, in Article XVI of the Treaty of Tientsin; and this is the course to be respectively followed by the officers of either nationality."

8. On September 5th, 1902, at Shanghai, Great Britian made a further Commercial Treaty with China. In Art. VIII, sec. 12, "The Chinese Government agree to open to foreign trade, on the same footing as the places opened to foreign trade by the Treaties of Nánking and Tientsin, the following places, namely:—Ch'angsha in Hunan, Wanhsien in Szechuen, Nanking in Anhui, Waichow (Hui-chow)in Kuangtung, and Kongmoon (Chiang-men) in Kwangtung.

"Foreigners residing in these open ports are to observe the Municipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish Municipalities and Police of their own within the limits of these Treaty Ports except with the consent of the Chinese authorities."

9. The American Treaty of October 8th, 1903, signed at Shanghai, in which it was stated in Article III, that "Citizens of the United States may frequent, reside and carry on trade, industries and manufactures, or pursue any lawful avocation, in all the ports or localities of China which are now open or may hereafter be opened to foreign trade and residence; and within the suitable localities at those places which have been or may be set apart for the use and occupation of foreigners, they may rent or purchase houses, places of business and other buildings, and rent or lease in perpetuity land and build thereon. They shall generally enjoy as to their persons and property all such rights, privileges and immunities as are or may hereafter be granted to the subjects or citizens of the natton most favored in these respects."

Extraterritorial Rights

It is believed that these extracts cover all exterritorial rights granted to English and American citizens in China. The sum of these rights, as they existed at the time the first Land Regulations were made, in 1845, is found in Articles XXI and XXV of the American treaty of July 3rd, 1844.

Art. XXI says,....."And citizens of the United States, who may commit any crime in China, *shall be subject to be tried and punished only by the Consul, or other public functionary of the United States thereto authorized, according to the laws of the United States.*

Art. XXV says "All questions in regard to rights, whether of property or person,arising between citizens of the United States in China, *shall be subject to the jurisdiction, and regulated by the authorities of their own government.*"

Later references to exterritoriality did not extend those given in the above two Articles.

Moreover, there are the only rights that are known as extraterritorial rights, Oppenheim, Vol. 1, p. 498, says: "International custom and treaties lay down the rule only that all the subjects of Christian states residing in non-Christian states *shall remain under the jurisdiction of the home state as exercised by their Consuls.* It is a matter for the Municipal Laws of the several Christian states to organize this Consular jurisdiction." To the same effect, see Lawrence, Principles of Int. Law, pp. 254-255. In his discussion there given, Lawrence says that the authority of the British Consular Courts is derived from Foreign Jurisdiction Acts (1843-1890) and Orders in Council made in pursuance of them: that the authority of the Consular Courts of the United States rests upon Acts of Congress passed in 1848, 1860 and 1870. "But, he says, "it must be noted that these Acts and similar laws of other civilized and Christian powers could give no jurisdiction within the dominions of Oriental states, were it not for the treaties and customary rules whereby the right to establish Consular Courts is expressly granted by the local sovereigns." Davis, El. of Int. Law, p. 219, quotes from Boyd's Wheaton, p. 152, that "This jurisdiction is subject, in civil cases, to an appeal to the superior tribunals of their own country. The criminal jurisdiction is usually limited to the infliction of pecuniary penalties, and, in offences of a higher grade, the consular functions are similar to those of a police magistrate, or *juge d'instruction.* He collects the documentary and other proofs, and sends them, together with the prisoner, home to his own country for trial."

The Object of Extraterritoriality

These and other law writers bring out three things, viz.—

1. That the object of exterritoriality is to keep the citizen under the jurisdiction of the laws of his come state, in order to protect him from the effects of non-Christian laws administered in untrustworthy hourts.

2. That the accepted mode of enforcing this jurisdiction is through Consular and Ministerial Courts, with right of appeal to and supervision in the home courts in graver cases.

3. That the whole of the jurisdiction depends upon the Treaties made with the state granting it, and it extends no further than the grant.

Judged by these standards we may very pertinently ask, what is the status of the Municipal government of Shanghai in exterritorial law?

When the Land Regulations were first written in 1845 the people were perhaps not very much concerned about the technicalities of government, exterritorial or otherwise. They had practical needs. They wanted roads. wharves and police. And they wanted the money with which to provide these. They took up the details with the Taotai, and the informal organization of the Foreign Settlement was initiated; and thus, with the consent of China, power to make these needed improvements and to levy taxes in order to secure the funds required, was had. However, the right to tax was not given until later, in 1854. Supplementary rules or Bye-Laws being needed from time to time, a method of supplying these through the action of the Ratepayers, Consuls, and Ministers of foreign powers having treaties, or a majority of them, was provided.

For each treaty power, the Consul since 1854, and the Minister since 1859, have joined in the approval of the Settlement Bye-Laws. Just what effect their approval has had on the Bye-Laws, does not seem to be clear. Sir Edmund Hornby, Chief Justice of H. B. M.'s Supreme Court for China, on November 15th, 1865, in the case of Municipal Council vs Wills, as reported in the *N. C. Herald*, Nov. 18, 1865, held that the British Minister as well as the British Consular Representative had authority to act in the making of the Land Regulations, under the 4th section of the Order in Council of June 13th 1853, which provided that the Superintendent of Trade should have, amongst other things, power and authority to make and enforce rules and regulations for the 'peace, good order and government' of Her Majesty's subjects within the dominions of the Emperor of China. On the other hand, under a practically similar grant of authority, Consul-General Geo. F. Seward of the U.S. Consulate General at Shanghai, held on March 16th, 1875, in the case of Council vs Fogg, (*N. C. Herald*, Mar. 25, 1875), that it was not sufficient to empower the United States officials to act in making the Land Regulations, though he sustained the right of the Municipal Council to proceed under the Land Regulations in the collection of taxes, on the ground of delegation of power from the Chinese government.

So far as is known to the writer this question has not been passed on by the Supreme Court of any nation involved.

In making a Settlement Bye-Law, the rule of procedure, as already stated, is that it shall not come into operation until passed and approved by "the Consuls and Ministers of Foreign Powers having treaties, or a majority of them, and the Ratepayers, in Special Meeting assembled; . ." Under this procedure the Consuls and Ministers could in this meeting, which is controlled by majority vote, adopt a Bye-Law which is opposed to the genius of English or American government. If so adopted, and if the Shanghai Settlement is any part or arm of the several foreign powers in the carrying out or enforcement of their exterritorial rights, then it is difficult to see how the English or American nationals in Shanghai could avoid the embarrassment of having to accept as his exterritorial privileges, laws which may be made by representatives of other nations, and thus the national be removed from the jurisdiction of his home-made laws, and the whole principle of exterritoriality be defeated.

Statutory Construction

And further, the Act of Congress of the United States of Aug. 11, 1848, (and the later Act of June 22, 1860) says as to the powers of the Commissioner (Minister) in carrying out the exterritorial rights provided for under the treaties with China, that he is given authority "generally, ... to make all such decrees and regulations from time to time, under the provisions of this Act, as the exigency may demand; to become binding and obligatory until annulled or modified by Congress . . ." And section 6 of this same Act then requires the said Commissioner speedily to transmit such regulations to the President, "to be laid before Congress for revision." The writer here merely calls attention to the possibility of this being only a grant of authority for making regulations as to matters of court procedure, under a well known rule of statutory construction, and in this discussion gives to it the widest possible reach. Assume that the American Minister enters one of these meetings of Ministers of the interested powers, for the purpose of passing upon proposed Bye-Laws for Shanghai. And suppose that the laws are adopted by a majority vote, sufficient in number without reckoning the vote of the American Minister. Could the United States Congress revise, or annul, or modify one of the Bye-Laws of the Settlement of Shanghai, so adopted? And could the American Minister act in any manner so that Congress could not revise his act? Would he have such power? This American Act is special, and relates to the United States Minister; but would not the same situation be true of any Minister? Could not a majority of other nations bind Great Britain, and make a Settlement law affecting British nations, and affecting their rights under the laws at home? If laws thus made for the Settlement,—it may be by a majority of Ministers of other nations,—is English law, or is American law, under the reservations of exterritorial rights under the treaties, and if this is the system which fulfills the promise to citizens of the United States made in the Treaty of 1844 and if accused of any crime they shall be subject to be tried and punished *"according to the laws of the United States,"* and that all questions in regard to rights, whether of property or person, arising between citizens of the United States in China *"shall be subject to the jurisdiction, and be regulated by the authorities of their own government,"*—then the council were right in disregarding the advice of the Judges of the Courts of Great Britain and of the United States recently, and in proceeding with the passage of their proposed laws, for they would be making laws for these two countries which would apply to all of their nationals in Shanghai.

Municipality vs Extraterritoriality

On the other hand, so far as the exterritorial rights of the United States are concerned, (and this is true likewise of other nations), if the Municipal government of the Foreign Settlement is not an arm

of the United States government, used by it in securing the rights above mentioned to its citizens, and therefore subject to the control of the United States government, then, so far as the United States are concerned, the government of the Foreign Settlement has no connection whatever with exterritorial law, and does not draw its existence, directly or indirectly, from those treaties.

Some shadowy connection with the exterritorial treaties seems to have been given in thought in the past to the Foreign Settlement. But in actual practice the Courts have not considered it as being any instrument of exterritoriality, and they have with one accord proceeded to enforce the laws of the home land for the benefit of the national without regard to the Municipal Bye-Laws.

The power to tax is supported both in the Wills case and in the Fogg case, on authority delegated from China, and not in such cases derived from the treaties.

Accordingly, it is not believed that there is the slightest authority of exterritorial law supporting the organization of the Foreign Settlement.

Moreover, China is the sovereign lord of the soil of Shanghai. It was hers when foreigners first came to Shanghai, and is still hers unless it has been lo t by her to some other country or countries.

The principal methods by which nations acquire territory are:

(a) By occupation, as when a nation takes possession of territory previously unoccupied by man.

(b) By accretion, as when an increase of territory results from an operation of the laws of nature.

(c) By treaty.

(d) By conquest.

These are the four grounds set forth by Davis, El. Int. Law, p. 66. One other is added by Oppenheim, Vol. 1, p. 308, and Lawrence, p. 166, namely,

(e) By prescription.

The soil of Shanghai has not come to any foreign nation or nations under any one of the first four grounds. China was in full occupation for centuries before the foreigner arrived; the treaties have only given the right to buy and rent real property and build houses, etc., for purposes of trade and Missionary work,—and this to be the act of private persons; and there has been no conquest. If there has been any loss of right to her territory in the Settlement on the part of China, it must be under the fifth method given above, prescription. It is not believed that any one would make a serious contention of this kind, and the writer only attempts an earnest consideration of it because of some extraordinary procedure that has characterized our municipal administration.

Prescription, says Oppenheim, vol. 1, p. 309, may be defined as "the acquisition of sovereignty over a territory through continuous and undisturbed exercise of sovereignty over it during such a period as is necessary to create under the influence of historical development the general conviction that the present condition of things is in conformity with international order."

Merits of Individual Cases

And again he says, "Everything depends upon the merits of the individual case. As long as other powers keep up protests and claims, the actual exercise of sovereignty is not undisturbed, nor is there the required general conviction that the present condition of things is in conformity with international order."

As showing the uncertainty of this title, further quotation is made from Oppenheim. He says:—"The question, for instance, whether, although the three partitions of Poland were wrongful and unlawful acts, Prussia, Austria and Russia have now a good title by prescription to hold territories which were formerly Polish must, I doubt not, be answered in the affirmative. For all of the members of the Family of Nations have now silently acquiesced in the present condition of things, although as late as 1846 Great Britain and France protested against the annexation of the Republic of Cracow on the part of Austria." Ib. p. 310. Contrary to the opinion of Mr. Openheim, however, Polish territory has been restored, as have Alsace-Lorraine and other territories long held.

But who has been laying claim to the territory of the Foreign Settlement of Shanghai? Certainly neither Great Britain nor the United States. France, under an agreement with the Taotai made in 1849, has been making some sort of claim to the French Settlement. To this, Mr. Morse, in his work, the International Relations of the Chinese Empire, p. 349, makes reference as follows;—"The agreement of April 1849 (with the Taotai) provided that, 'should persons of other nations wish to acquire land and build within the above limits, they must first apply to the French Consul, who will take the matter into consideration and act on their behalf.' The same rule had been inserted in the agreement for the English settlement, but it had not been acte l on: in practice the protection of, for example, the Americrn Consulate was given as much for the land as for the goods of the American citizen, even though the land was situated on the English settlement. Upon the publication of the agreement for delimiting the French settlement, the British and American consuls both protested against the clause quoted above; and they informed their nationals that the protection of their consulate would be given to their land wherever situated The title to land in the Franch settlement has, accordingly, from that day to this, been registered in the consulate of the owner's nationality, and not necessarily in that of France."

The French Position

Just what the French claim is, is not clear to the writer who has not examined fully into the status of the French Settlement. Presumably, France would not lay claim to a grant of territory from a mere contruction of an agreement as to where the French should live, made with an official, who as Intendant of Circuit ranks with Consuls. The protests of the British and American Consuls, with the continuous system of protests made through the filing of deeds for land in this Settlement only with the Consulate of the national purchasing the land, will doubtless prevent the statute running in favor of a prescriptive title in France.

Moreover, the action of the British and American Consuls in protesting against the French claims to a grant of territory, would further seem to be incontestible evidence that no such claim was made by their governments in the International Settlement.

Since no nation is known to be making claim to ownership of the soil of the International Settlement, can it be that the Municipality of this Settlement has attained to such dignity as a government as to assume sovereign powers, and thus by prescription have acquired title as against China?

1st. As already shown above, the Municipality of the International Settlement is the creature of the Chinese government, made on her territory as an arm of the government of China, and as a generous grant from her in providing municipal convenience for, and at the request of, foreigners who were at that time

segregated and living practically apart from the Chinese citizens, and who could thus at that time, be so accommodated by China without serious encroachment on her sovereignty.

To start the running of the rule of prescription in favor of a Municipality so created as against her sovereign state, there must first have been a rebellion against China by those holding authority under her, and an open assumption of sovereign powers before the world, with a hostile and adverse claim and possession as against China.

2nd. Not only has there been no rebellion against the authority of China by the Municipality of the International Settlement, but in many and various ways, the supremacy of China has been acknowledged:

By Payment of taxes to China.

U. S. Treaty of 1844, Art. XIX.

U. S. Treaty of 1868, Art. I.

Council vs Fogg, (U. S. Consulate-General Court).

Regina vs Reynolds & Holtz, (H. B. M. Sup. Ct.) *N. C. Herald*, Oct. 21, 1865.

Council vs Wills, (H. B. M. Sup. Ct.) *N. C. Herald*, Nov. 18, 1865.

Vattel says, p. 191, "It is, however, only in cases of long continued and uninterrupted possession that prescription is established on these grounds, because it is necessary that affairs should some time or other be brought to a conclusion, and settled on a firm and solid foundation."

Shanghai Belongs to China

While it is believed that it is clear that the territory of Shanghai belongs to China, some extracts from current history and decided cases, with citations from treaties will now be set forth as showing contemporary thought on these questions.

The efforts to establish a foreign-governed municipality at Shanghai were long opposed by Sir Frederick Bruce, Britsh Minister at Peking, and Mr. Burlingame, the American Minister there, on the ground that they were contrary to the treaties with China,—Sir Frederick Bruce stating in 1862 that as to the proposal for rendering Shanghai a free port with a mixed Consular and municipal government under the joint protectorate of the Treaty powers, it was his duty to point out that the Chinese government had never formally abandoned its rights over its own subjects, nor had the British government ever claimed or expressed any desire to exercise a protectorate over them: and he did not understand what interest there could be in supporting a system unjustifiable in princips, fraught with embarrassments and responsibility, and to which, moreover, the Chinese government would never submit willingly. (Jesus, Historic Shanghai, p. 211).

Three cases have been decided by the Courts of the Foreign Settlement of Shanghai with reference to formulating the Regulations and establishing the municipal government of Shanghai. These cases, in order, are, before H. B. M.'s Supreme Court at Shanghai, Municipal Council vs. G. Wills, suit for Tls. 590.30 alleged to be due on account of land tax, decided Nov. 15, 1865, reported in *N. C. Herald*. Nov. 18. 1865: before the U. S. Consulate-General, Council vs. W. H. Fogg, suit on claim for Tls. 350.70 for land tax, decided Mch. 25, 1875, reported in *N. C. Herald* Apr. 1,1875; and, also before the U.S. Consulate. General, Council vs. Frank Reid, suit for Tls. 10.72 alleged to be due as house tax, bearing date of May 14,1881, and reported in *N. C. Herald & S. C. & C. Gazette* May 20, 1881. (Jesus, Historic Shanghai, 220). Jesus also states that a similar test case was made in the French Consular court in 1865,—the Fierz and Bachmann case, in which the rights of the Municipal Council were upheld, as they were in the British and American Courts.

Sir Edmund Hornby, Chief Justice of H.B.M.'s Supreme Court, in deciding this case of Council vs Wills, then before him, says: "There is, however, another circumstance or fact which has an important bearing upon the question before me, when considering the legality of the proceedings of all the parties to the imposition of this rate, and the right of the committee to sue for and recover it in a Consular Court. I allude to the assent of the Imperial Commission of his Majesty the Emperor of China to the Land Regulations themselves. This assent entirely does away with any objection that may be made that the right to tax anybody on Chinese soil is a territorial and a sovereign right which it must not be hastily presumed has been yielded up. To the regulations themselves in their entirety the Imperial Commissioner has assented. His authority is not to be called in question, nor has it been called in question, and therefore when we couple this assent on the part of the Representative of the sovereign authority of China with the action of the Representative of the British Crown, it is impossible to conceive but that all has been done which under almost any circumstances it was necessary to do."

Consul-General Seward, of the U. S. Consulate-General, in deciding the case of Council vs Fogg then before him, says:—"The Land Regulations of 1845 and 1854, were then the joint issue of the local representatives of the Chinese Government, and of the foreign officials concerned. The acts thus performed by the Chinese officials have remained unquestioned by the Chinese Government for a very long period, and being within the immediate view of the Government, may be held to have been accepted by it.

"The acts thus performed by the representatives of the United States, and approved by the Government, by its Secretary of State, may be remarked upon as follows:—

Ministerial Decrees

"The Minister and Consuls for the time being of the United States in China are authorized by Act of Congress to make Decrees and Regulatians for certain purposes. I long since pointed out the limited scope of this authority, and my view was approved by the Government. Without entering here upon the argument that was involved. I may say simply that it cannot be held to cover the case now in question. It is moreover true that the procedure taken by the United States officials in this case has not been conformed to the Act, and the Regulations would fall if based upon supposed procedure of the kind.

"It may, however, be held that the Regulations should be regarded as the issue of the Chinese authorities, and that our action indicates only our approval of them.

"Instances of analogous action may be found in the Harbor and Pilotage Regulations. These were publish d by the territoriai authorities. Our approval was first procured, and is taken to mean that we admit the right of the government to make the given Regulations, and will support them as Regulations, which are, and of right ought to be, of binding effect.

"We come now to a logical position. What is there in the Treaties which may be construed to mean that China has yielded jurisdiction over her territory? What are all Municipal Regulations but an assumption of a certain jurisdiction of the sort? If we hold

(*Continued on page 80*)

Why the Settlements Ought to be Abolished

By S. H. Wang

ASIDE from the general consideration that concessions, as such, are an obsolete institution in the modern scheme of world democracy, that concessions such as those existing in China, wrested from her by force, serve merely as a mark of medieval overlordship by the strong over the weak, and that existing as they are in China, they form an unsurmountable obstacle to the fulfilment of China's legitimate aspirations as a sovereign government, it must especially be noted that the so-called International Settlement in Shanghai is even more objectionable to the Chinese, not only upon general principles but also because of the fact that, as it is governed at present, it violates all laws of a civilized government, the rights and privileges of the great majority of the people in the Settlement responsible for the maintenance of the municipal government being absolutely ignored. For this reason no sensible and far-sighted man of the public can deny that such an arbitrary regime, backed by a barbarous display of arms, can ong endure.

Before any advocacy is made as to what changes in the municipal govarnment of the International Settlement of Shanghai are imperative and should immediately be effected in order to meet the demands and aspirations of the Chinese people, it may not be out of place here first to give, for the information of those who may not be well informed in the origin, the present status, and the municipal government of the International Settlement, a few of the obvious reasons why immediate changes are necessary.

Municipal Rule Lacks Treaty Sanction

In the first place, it must be pointed out that quite contrary to the popular conception that the International Settlement in Shanghai was given to the Powers to be controlled and governed by themselves, the present administration of the Settlement, as exercised by the Shanghai Municipal Council not only lacks treaty sanction but also violates the spirit of the general terms of the agreement between China and the countries concerned. No one can believe that the Chinese signatories to the Treaty of Nanking of 1842 intended for a moment that it should grant to the British subjects the right to exercise administrative power in Shanghai. The supplementary treaty of 1843 with the British Government only provides "for British subjects and their families residing at the cities of towns of Canton, Foochow, Ningpo, and Shanghai without molestation or restraint." A careful examination of the provisions of the treaties will convince one that what was given was the right of foreigners to reside and to trade at these ports but not the right to exercise administrative power

However, not content with the right of domicile the British in 1845 succeeded in wresting from the Chinese Government the Yangkingpang Land Regulations which, while dealing exclusively with the transfer and registration of land title deeds, were subsequently given a different interpretation by the British authorities as granting them administrative power within the area settled by British and other foreign subjects, thus laying the foundation of the present municipal administration of the Settlement. The final step of usurpation of the authority of the Chinese government was consumated in 1854 when the ministers concerned in Peking sanctioned a new code of municipal regulations agreed upon by the consuls of Great Britain, France, and the United States. The Chinese Government was consulted in the matter, and the whole scheme as well as the high-handed method with which it was carried out can only be regarded as a deliberate act of usurpation.

Further revisions of the new regulations of 1854 were made by the consuls and sanctioned by the ministers in Peking in 1869 and 1898, with the authorities concerned in both cases well aware that the changes constituted a violation of China's political sovereignty and territorial integrity but without so much as notifying the Peking Government of the proposed changes. In both cases, the Land Regulations of the Foreign Settlement North of the Yangkingpang of 1869 which subsequently became the first organic law of the International Settlement, and the Land Regulations and By-laws for the International Settlement of Shanghai of 1898 were offered to the Chinese Government as *fait accompli*.

Therefore, with the exception of the Land Regulations of 1845 which were agreed to by the Chinese Government but which only dealt with the transfer and registration of land title deeds within the area settled by foreigners, all later regulations were formulated by the consuls themselves and sanctioned by the ministers concerned in Peking, the Chinese Government taking no part in the enactment of these laws and never once giving its approval of the foreign encroachment upon its power. In so far as the Chinese Government is concerned, therefore, the present Municipal Council of the International Settlement can only be regarded as the result of a series of acts of foreign Imperialism.

British Hold Control

A second reason why the adminstration of the International Settlement must be immediately changed is that instead of being international in its adminstration, as it should be, the authority over the Settlement lies entirely in the hands of the British alone. In other words, contrary even to the Land Regulations of 1898, drawn up and agreed to by the various Powers themselves making the area settled by foreigners an international settlement under the joint control of the Diplomatic Corps at Peking, the Shanghai Consular Body, the Ratepayers' Association, and the Shanghai Municipal Council, the real authority has fallen into the hands of a small group of men known as the Municipal Council, acting in a sovereign and independent manner from all other authorities. The Ratepayers' Association is dominated by the British who form the majority in the meetings, as is also the Municipal Council which, in accordance with the Land Regulations of 1898, must be composed of a majority of British members. The Ratepayers' Association being too unwieldy a body to exercise its authoritiy and many of its members not being actively interested in the government of the municipality, all administrative and legislative functions have been delegated to the Municipal Council which at present consists of 5 British, 2 Americans, and 2 Japanese. Despite the fact that Chinese residents in the Settlement constitute more than 95% of the entire population, Chinese participation in both the Ratepayers Association and the Municipal Council is denied. No municipal government of today, composed as the Shanghai Municipal Council is, can expect to function satisfactorily and smoothly. Is it any wonder, therefore, that there should be so much disatisfaction and so many complaints from the Chinese ratepayers?

Participation Denied to Chinese

Right of participation in the municipal government having been denied the Chinese, it by no means, however, follows that they are relieved of the heavy financial responsibility of maintaining the municipal government. On the contrary, statistics show that Chinese residents within the Settlement contribute by far the greater majority of the city's revenue. In 1925 the Chinese paid 2,021,702 taels in rent tax while the amount from foreigners was only 1,676,885 taels. Just exactly how much land tax is paid to the Municipal Council by the Chinese is rather difficult to ascertain because Chinese land owners register their property under foreign names. But a very conservative estimate is that at least 70% of the total receipts of the city's land tax come from the Chinese. In any other modern city in the world the municipal government certainly would have been in the hands of the majority of the ratepayers—in this case, the Chinese; but with the bureaucratic Shanghai Municipal Council functioning under the protection of an unilateral agreement among foreign officials themselves, which the Chinese Government has every right to annul but has not done so due to lack of military and naval strength, a handful of prejudiced foreigners, having back of them a terrible display of brutal force, has been able to impose upon the people of Shanghai an oligarchic system of the medieval ages. This is the third reason why the Municipal government of Shanghai should immediately be re-organized on a fair and equitable basis.

Welfare of Chinese Neglected

But perhaps in no other respects is the maladministration of the Shanghai Municipal Council more grossly reflected than in its absolute neglect of the public welfare of the Chinese residents—the total lack of any facilities for the public education of the Chinese is one point in question. When a municipal government collects annually well over 10,000,000 taels from the people but fails to provide for even the rudimentary education of their children, it falls short of being a responsible government. Neither is there a public library for the Chinese, the so-called Municipal Library having in its possession only books in the English language. Furthermore, other public institutions such as parks and even the hospitals are closed to the Chinese population.

From the above it is altogether too obvious that if the city of Shanghai is to continue its existence peacefully and in keeping with the time, the nature of its administration must be fundamentally changed. Both from the point of justice and fairplay to the Chinese Government and to the Chinese living in and responsible for the maintenance of the municipal government of the Settlement, fundamental re-adjustments in the governing of the entire area must be effected in order to attain some degree of sino-foreign cooperation which is so essential to the welfare and prosperity of the whole community. No one can deny that without sinoforeign cooperation, no amount of force and coercion can produce a peaceful and prosperous Shanghai.

The question naturally arises as to what changes are most imperative. It must be stated from the beginning that in the case of the Shanghai International Settlement, as in all other major issues of sino-foreign relations, whatever re-adjustment is made must be fundamental in nature. The Nationalist Government has time and again declared its policy as regards the International Settlement and it cannot be too often repeated that nothing short of a complete return of the entire Settlement to the Nationalist Government will be acceptable to the Chinese people.

Negotiations Towards Retrocession

The first step in the solution of this problem lies in negotiation with the Powers with the view of taking back the Concession. As in the cases of Hankow and Kiukiang, amicable negotiations between the Nationalist Government and the Powers concerned should be immediately entered into.

As regards the government of the municipality after its return to the Chinese, it is perhaps safe to say that in view of the multiple interests held by many foreigners here in Shanghai and the long experience the present administration has had in certain branches of the affairs of the Municipality, the Chinese residents as well as the Chinese Government will be willing to grant to the foreign residents such special favors as will enable them to participate in the government of the great metropolis. This, of course, is not to be taken as a recognition of any special rights or privileges to which foreigners living in China are supposed to be entitled. The Chinese Government is in no way bound to accord them such privileges. Any special favor granted to foreigners in the government of the municipality of Shanghai must be looked upon merely as a friendly gesture on the part of the Chinese. Nor is it to be implied thereby that such foreign participation is to last forever. In due course of time when the Chinese administrators will have familiarized themselves with the entire machinery of the government and when foreign assistance can be dispensed with without lowering the efficiency of the administration, foreign particpation shall be terminated.

And herein lies the secret of a "Greater Shanghai"; for Shanghai cannot be greater than it is without the Chinese people willing to make it greater; and the Chinese people will never be willing to make it greater, nor can they do so much as they may wish to, so long as they are deprived of their right and freedom of action. Shanghai will be greater when, and only when, the concession is abolished. It will naturally grow greater when both foreigners and Chinese do not have to confine themselves within the very superficial and arbitrary limits of a "settlement", when all will be free to trade and live where they like and take an interest in the welfare of their community.

American is Sentenced For Defrauding Yang Sen's Agent

Knight M. Crawley, after a week's trial in the United States Court for China, was found guilty by Judge Purdy October 21, of defrauding the agents of General Yang Sen, Szechuen militarist, of $73,200. In declaring Crawley guilty, Judge Purdy took occasion to castigate Elly Widler, China-born Swiss citizen, as being the author of the plot to defraud General Yang Sen's men, and more guilty than Crawley.

Widler was arrested by the Swiss authorities immediately after the trial at the U. S. Court and is being held without bail. Crawley has not yet been sentenced. In the meantime civil suits are being brought against both Crawley and Widler to secure the return of the money which they secured from the Szechuen agents on the false promise that they would deliver arms and ammunition in Szechuen on board an American warship. It is rumored that an American newspaper man who has since left Shanghai posed as an American "officer" in the course of the proceedings. The defense of Crawley was that the contract was to supply bullet-proof vests. The principal witness for Crawley was Widler.

The Chinese Revolutionary Movement

By C. S. Hoh

WHILE it may not be exactly accurate to identify the beginning of the Chinese Revolutionary Movement with the very year of birth of Dr. Sun Yat-sen, yet it can not be denied that in Dr. Sun, China had born a great leader of the Revolution who was destined to play a most significant role in the gigantic movement of liberation of the Chinese people from militarism within and imperialism without. For forty years, Dr. Sun struggled first against the Manchus, then against the militarists and the Imperialists and struggled heroically from the beginning to the end without weakening. It was purely through the undaunting spirit and untiring energy of Dr. Sun that the overthrow of the Manchu Government was successfully brought about and the Chinese people were awakened from their lethargy to their present intolerable international status. It was under the auspicies of Dr. Sun that the present nation-wide movement against the encroachments and aggressions of the West was initiated and is now being carried on with increasing vigor and vehemence to end the Western domination of the East.

When Dr. Sun was alive, he was invariably the principal mover and director of the whole movement and was intimately associated with all revolutionary activities. Now even after his death, his influence remains as great as ever and spiritually he continues to be the motivating cause of the present movement. His very name is a thing to conjure with among the Chinese and his influence in the progress of Chinese Nationalism is both far-reaching and everlasting. Therefore tracing the present movement to its ultimate origin, it may not be amiss to count its start from the birth year of our late leader Dr. Sun.

The Nationalist Movement which is now sweeping over the whole of China has had a checkered career, surviving countless failures and many insurmountable difficulties. However, in spite of many bitter disappointments and apparent collapses, the Movement steadily progresses onward and continues to expand its influence in the course of time from one quarter of the country to another. It must not be mistaken that it is not a passing phase of the episodes that do not survive a day's existence, but it is an enduring force which leads and directs the people on the road of Revolution towards the attainment of definite purposes. Therefore it may not be out of place for us to give a free assurance to both the enemies and friends of the movement that the torch lit by the Nationalist Movement will be never extinguished and must be recognised as an enduring reality in the adjustment of our international relations with foreign countries. While it may be ungrateful or cynical, however we must frankly state that commendation or condemnation from the outside world regarding our present struggle in fact means little or nothing to us, for irrespective what the world is thinking, we are to fight out our destiny with bravery and persistent efforts. We fight for justice, equality and independence as a sovereign state. We fight for what we have been robbed of by the militarists and imperialists; in short, we fight for the recovery of our rights. At the top of all these, we also fight for the dignity and honor belonging to a nation that has had a known existence of 4,000 years and was the mother of the Oriental civilisation. The events in the past which were interwoven with alternative successes and failures are directly or indirectly leading us to the goal which we have set to attain—overthrow of militarism within and eradication of imperialism without—and we are determined to reach it under all circumstances and regardless of whatever difficulties.

Starting from the birth year of our revered leader Dr. Sun down to the Wuhan—Nanking Reconciliation, the significant events of the Chinese Revolutionary Movement are recorded as follows:

The Course of Events

1866.—Dr. Sun Yat-sen, leader of the Chinese Revolution, was born at Choy Hung Village or Village of Blue Valley in Kwangtung Province. At the age of fifteen, Dr. Sun went to Honolulu his with eldest brother and studied at the Honolulu Missionary Bishop School, St. Louis School and Hawaii College. While sojourning in Honolulu, Dr. Sun was greatly influenced by the American institutions and perhaps formed his first ideas of progress. He admired Honolulu so much that he seemed to have determined at that very age to reform the political conditions in China after the pattern of the West. Upon his return to China from Honolulu at eighteen, Dr. Sun attended Queen's College at Hongkong and finally graduated from the Hongkong Medical School in 1892, choosing the practice of medicine as his profession and avocation.

1893—Dr. Sun, accompanied by Mr. Loh Hau-tung one of his earliest revolutionary associates, paid his first visit to Peking to plan the overthrow of the Manchu Government and also travelled into the interior of China, observing the general conditions along the Yangtse Valley regions.

1895, Sept. 9.—Formation of Chung Hing Hui at Hongkong (Reformation Association), the first and the earliest revolutionary organization and mother of the present Kuomintang Party.

In the 2nd moon of the same year, Dr. Sun and his associates made the first attempt at revolution and planned to capture Canton as the base of the revolutionary movements. But owing to the negligence in the transportation of arms—six hundred revolvers—from Hongkong to Canton, the plot was discovered and the arms seized by the Manchu Customs officials. However, in spite of the onslaught on the Viceroy's Yamen at Canton by the Revolutionaries, the whole effort resulted in a gloomy and disheartening failure.

Dr. Sun, a Refugee Abroad

1896—Following the failure of his initial efforts of Revolution at Canton and carrying a price on his head put by the Manchu Government, Dr. Sun after considerable difficulties successfuly managed to escape from China and took refuge abroad. He soon found his way back to Hawaii Island where he preached the gospel of Revolution in China and appealed to the Chinese there for financial and moral support. From Hawaii, Dr. Sun made his way to America and Europe. While in England, an event took place that for a while seemed to threaten Dr. Sun's life and end his revolutionary career. On October 11, Dr. Sun was kidnapped by the Chinese Legation by the order of the Chinese Minister Kong Chao-yuan (uncle of Kong Hsin-kan, once Minister

of Interior of the Peking Government). Thanks to the timely inter vention of his teacher Dr. James Cantlie, Dr. Sun was set free and his life saved from the Manchu persecution.

The Waichow Event in Kwangtung

1900—Taking advantage of the Boxer Uprising in the North, Dr. Sun planned to return to Canton to start a second Revolution, but when he arrived at Hongkong from abroad, he was denied landing by the Hongkong authorities. Finding no way to Canton, Dr. Sun attacked Waichow from Formosa but without success, resulting in the killing of several Revolutionalists and two Japanese sympathizers of the Movement. During that campaign, the Kuomintang Flag (White Sun in a Blue Field) was displayed for the first time in its history.

1904—Formation of Tung Ming Hui in Japan. superseding the name of Chung Hing Hui.

At that time, the Revolutionary movement was already widely-known abroad and sympathizers could be found in all countries. Dr. Sun that year paid his second visit to Europe and preached the San Min Principles and the Five Powers Constitution among the over-seas Chinese to win their support. While in Europe, Dr. Sun travelled from one country to another and organized chapters of the Chung Hing Hui wherever he could find sufficient Chinese to identify with his political scheme and contribute towards his cause. Dr. Sun held the first meeting of his followers in Brussels, the Belgian Capital, where twenty members joined the Society. The second meeting was convened at Berlin where another twenty Chinese became members. The third meeting was held at Paris and more members were admitted. On his way home, Dr Sun held the fourth meeting at Japan at which Chinese from 17 provinces in China attended. This meeting was the largest ever held and was what is now generally known as the "Tung Ming Hui", finally replacing the name of "Chung Hing Hui .

Ping-Li Revolution in Hunan

1906—Hunan members of the Tung Ming Hu started a Revolution their own initiative at Ping hsiang, but it failed. More revolutionary leader were arrested and executed.

1907—Three Revolutionary Attempts in Kwangtung failed.

(a) Chaochow Revolution in Kwangtung.

(b) In the 4th Moon, another Revolution broke out at Waichow in the same province, but again it was unsuccessful.

(c) Taking advantage of the trouble arising out of the protest of illegal taxes, the Revolutionaries renewed their efforts at Yamchow and Limchow in Kwangtung, but owing to the disputes among the members of the Tung Ming Hui at Tokyo, the attempt was discovered and foiled. Dr. Sun, General Hwang Hsin and Mr. Hu Han-min first attacked Chen-Nankwan and succeeded in capturing three strongholds, But after a pitched battle lasting a whole day and night, with the Manchu Government Generals Lung Chi-kwan and Lu Yung-ting, Dr. Sun's stand was weakened and he had to withdraw his troops to Annam.

(d) Not discourgaed by these repeated reverses, General Huang Hsin once more found his way back to Yamchow and Limchow and started another Revolution. This time the shortage of arms presented its realisation.

The Ho Hau Battle in Kwangtung

1908—General Hwang Min-tao attacked Ho Hau. At first the tide of battle was very favorable, but later General Hwang was held up by a French official and the attempt failed owing to the lack of leadership.

1910—(a) The Revolutionary Armies, then called the New Armies or People's Armies, made another attempt of Revolution in Canton, but again without success.

(b) Mr. Wang Chin-wei, (now Chairman of the Executive Committee of the Nationalist Government) went to Peking to assassinate the Prince Regent of the Manchu Government, but his plot was revealed and he was arrested and imprisoned in the Northern Capital.

1911—(a) The Hwang Hwa Kong Battle in Canton. General Hwang Hsin and General Chao Beichien revolted against the Manchus at Canton and one of the severest battles was fought with the Manchu troops, during which seventy-two Revolutionary leaders offered their supreme sacrifices for martyrdom. (In commemoration of the seventy-two martyrs, the Hwang Hwa Kong Tomb was erected at Canton.)

(b) On October 11, the Wuchang Revolution broke out in the name of Dr. Sun who was then in America. As soon as the news was broadcasted, the whole country responded. In a short space of one month's time, more than fifteen provinces joined hands with the Revolutionaries.

(c) Following the success of the Revolution, a Provisional Constitution of the Republic of China was adopted.

(d) Establishment of the Provisional Government of the Republic of China on Dec. 29, at Nanking.

(e) Dr. Sun elected as the First President of the Provisional Government the same day.

1912—(a) Manchu Emperor formally announced his abdication from the throne on the 12th of the second Moon, three days after which date Dr. Sun resigned from the Provisional Presidency in favor of Yuan Shih-kai who was elected President ofChina.

(b) In order to expand the influence of Revolution, Mr. Sung Chao-jen, a Hunanese Revolutionary leader, changed the name of Tung Min Hui to the People's Party or the Kuomintang,

1913—Owing to the intriguing activities of Yuan Shih-Kai against the Kuomintang members in the Parliament and the assassination of Mr. Sung Chao-jen by Yuan's agents at Shanghai, Dr. Sun ordered General Hwang Hsin and General Li Lieh-chun (now member of the Central Executive Committee of the Nationalist Government) to campaign against him, but the campaign was unsuccessful.

In view of the lack of unity among the Kuomintang members, Dr. Sun organised his intimate followers into the Chun Hwa Revolutionary Party or the China Revolutionary Party.

1916—Yuan Shih-kai became the Emperor of China by ascending to the throne vacated by the Manchus and assumed a more hostile attitude toward the Kuomintang. Dr. Sun allied himself with the various political intersts in power and started another Punitive Campaign against Yuan.

Sudden demise of Yuan Shih-kai on June 6 closed the Punitive Campaign against him.

1917—During that year, several significant events taking place in the North—the revolt of the Northern Tuchuns Corps, the dissolution of Parliament by President Li Yuang-hung under the compulsion of Chang Hsuan, the Monarchical Restoration of the "Boy Emperor"—Dr. Sun found it impossible to carry on reformation in the North and he brought the Chinese Navy and Parliament to Canton where he issued a declaration in defense of the Provisional Consitution.

In August, the first meeting of the Extraordinary Parliament in session was held at Canton for the organisation of a Military Government at which Dr. Sun was elected Commander-in-chief of the Army and Navy of China.

In September, General Liu Chien-fan started the First Northern Punitive Expedition from Lin Lin in Hunan.

Owing to the dominance of the Kwangsi and Kweichow militarists in the Military Government in Canton, Dr. Sun and his followers came to Shanghai and devoted themselves to the propaganda work for the Kuomintang, publishing several magazines in Shanghai.

The Military Government at Canton was reorganized into an Administrative Council.

1920—General Hsu Chung-chi and Cheng Chiungming effected a *coup d'etat* at Canton and succeeded in driving out the Kwangsi and Kweichow militarists from the Province. Dr. Sun returned to Canton from Shanghai and carried on the Revolutionary Movement as usual.

1921—(a) Dr. Sun was elected President of China by the Chinese Parliament in Extraordinary Session in Canton and inauguarated in office in May.

(b) Dr. Sun ordered the Second Northern Expedition and personally commanded the campaign.

1922—Gen. Chen Chiung-ming revolted against Dr. Sun thus forcing the latter to depart from the Southern Capital the second time for Shanghai. The Northern Punitive Expedition was abruptly suspended.

1923—Acting under the instruction of Dr. Sun, the Yuan and Kwangsi mercenaries staged a Punitive Campaign against General Chen Chiung-ming and successfully drove him out from Canton. Dr. Sun returned to Canton from Shanghai and was installed as the Generalissimo of the Kuomintang Party.

1924—(a) The first Convention of the delegates of the Kuomintang members was held at Canton at which the Party was thoroughly re-organised and the first declaration of the Party issued.

(b) Founding of the Whampoa Military Academy.

(c) A *coup d'etat* was effected in Peking by Marshal Feng Yu-hsiang. Dr. Sun was invited to Peking by the Northern leaders to take charge of the rehabilitation of the Peking Government. While enroute, at Tientsin, Dr. Sun had a recurrence of his old sickness and arrived at Peking a very sick man.

1925—Dr. Sun's demise at Peking on March 12, leaving his political will to his comrades, urging them to carry on the work of Revolution until its comple tion.

1926—(a) The Kuomintang Government adopted the Committee system.

(b) In June, General Chiang Kai-shek swore in office as the Commander-in-chief of the People's Revolutionary Armies at Canton and formally commenced the Northern Punitive Expedition which in a short space of little over a year extended its line from Pearl River to the Yangtsze Basin.

(c) Capture of Hunan by the Revolutionary Armies.

(d) Capture of Hupeh—the sensational fall of Wuchang.

(e) Removal of the Nationalist Government from Canton to Wuhan.

1927—The Northern Punitive Expedition continues to expand its influence and meets with success in every direction.

(a) Capture of Kiangsi.

(b) Capture of Fukien.

(c) Capture of Chekiang.

(d) Capture of Anhwei.

(e) Capture of Kiangsu.

(f) Marshal Feng Yu-hsiang responds to the Revolutionary Movement in the North and successfully takes three provinces—Kansu, Shensi and Honan.

(g) General Yen Shih-shan, Governor of Shansi declared himself an ally of the Nationalists.

(h) Owing to the intrigues of the Communists, serious misunderstandings arose between the Nationalist leaders of Wuhan and Nanking which finally resulted in the open split of two factions and the establishment of the Nanking Government by General Chiang Kai-shek.

(i) The Nanking Government carried out a purgation of the communist elements from the Party.

(j) In August, General Chiang Kai-shek suddenly retired as the Generalissimo of the Nationalist Armies in order to bring about a reconciliation of the Wuhan and Nanking factions.

Bingham Advocates Chinese Admission to Foreign Clubs

Senator Hiram Bingham of Connecticut, according to an interview cabled to the *Japan Advertiser* by its Washington Correspondent on October 16, advocates the opening of the foreign clubs in Shanghai to Chinese membership, particularly the Chinese students who have been educated in the United States. "More social equality between the foreigners and China," said Senator Bingham, "is the underlying necessity of the international problem in China." In summarzing the results of his visit to China, the Senator particularly deplored the inability of American businessmen and officials to mingle with the Chinese of their own importance in such places as the foreign clubs in Shanghai. This discrimination is the vital bar to mutual understanding and until it is removed it will remain one of the bitter causes of anti-foreignism in China.

Senator Bingham also advocated four other policies for the improvement of relations between Chinese and Americans: First, the widespread advertisement throughout China of just what American activities in the country are such as schools, hospitals and other similar institutions; second, better sources for American information such as could be supplied by Chinese-speaking military observers attached to the various warlords; third, more Chinese speaking American diplomats; and fourth, the negotiation of treaties with with any defacto regional governments which may establish themselves on a basis of fair stability. Senator Bingham stated his belief that much good might result if the United States would take the initiative in establishing domestic peace in China by trying to induce the warring factions to recognize fixed boundaries.

Marshal Feng Yu-Hsiang and the Kuominchun

(By a Chinese Writer)

SPACE here does not permit a detailed account of Marshal Feng Yu-Hsiang and his army. Only those features of his character and ideals which have a direct bearing on the development of his army, only those political actions of his which are of the most timely interest and only those phases of his work which are of recent accomplishment will be dealt with in this article.

Gen. Feng Yu-hsiang, Popularly Known as the "Christian General" Is Now the Controller of Kansu, Shensi and Honan Provinces and Is at this Time in Conflict with Marshal Chang Tso-ling for the Mastery of North China. This Picture Was Taken at Hsuchowfu in Northern Kiangsu last Summer at the Time When Feng Yu-Hsiang Held a Conference with Gen. Chiang Kai-shek of the Nationalist Forces at Nanking.

In personal life Feng Yu-Hsiang is a stoic and a democrat. Husually gets up at four in the morning, reads for an hour, and works indefatigably far into the night with only an hour's nap at noon in between. He limits himself to two meals a day, each meal consist of a few mutton chops and one dish of meat and vegetable. Many have wondered how he could always keep himself physically fit for such a strenuous life. This can be easily accounted for by his robust constitution and by the absence in him of any health-undermining habits. He does not smoke or drink, nor gamble, and has but one wife, who was formerly secretary of the Peking Y. W. C. A. and a graduate of the Union Woman's College, a missionary institution in Peking. Being a Christian himself, Feng Yu-Hsiang lives up to the Christian requirements of a clean moral life. Even his political enemies concede that his private morals are above reproach.

A Revolutionist

At heart and by temperament Feng Yu-Hsiang is a revolutionist. When he was serving as a Captain under the Manchu regime he showed the courage of his conviction by throwing in his lot with the revolutionists and had a narrow escape with his life. As general of the 16th Mixed, a small force of 9.000 men, he amazed the then Peking autherities by declaring independence in favor of the radical elements. The expulsion of the Manchu emperor from the palace in Peking is another act in keeping with his revolutionary instinct and his desire to eradicate the last vestige of Monarchism and menace to republicanism. His trip abroad, while making him detest communistic doctrines as utopian, has further confirmed him as a revolutionist, and as such he is more determined than ever to undergo hardships and self denials and to fight for the rights of the people. Hailing from a workingman's family, he naturally sympathizes with the poor and the oppressed and is democratic in his ways. He wears the uniform of an ordinary soldier without the slightest insignia to distinguish him from the rank and file. He loves his own soldiers and subordinate officers as his own brothers, and would never put them to unnecessary or purposeless sacrifice; that's why his soldiers and officers are so much attached to him and that is one of the reasons why they never desert in hours of crisis.

Soldiers Must Learn

Besides being required to learn to read and write every one of his soldiers has to do manual labor every day. Road-building and dike-digging for irrigation purposes are their most favorite exertions.

The public roads from Paotao to Mingshia, and thence to Sianfu and Tung Kwan have been either built or improved by his men, In many places in Honan province water ditches are being dug by them to irrigate farm lands.

It is a matter of common knowledge that Feng's troops are among the best trained and disciplined in China to-day. The high morale and fine spirit which animate these fighters have stood them in good stead in many a battle. Everywhere that his troops are stationed peace and order have always been well mantained, and people are never known to be molested. The reasons for such good results are not far to seek. Besides being a severe disciplinarian and stern taskmaster, Feng possesses a magnetic personality which has a strong hold on his men. He comes into personal contact with them and spends hours every day to inculcate in them the moral standards which he follows and the political principles he upholds. All look up to him for leadership. You never hear that any of Feng's generals has ever deserted him. His army is one consolidated entity. He can dismiss an army corp or division commander without the slightest fear of a mutiny. Every order is executed with mechanical precision and speed.

Another feature of Feng's work which adds to his popularity among the people is the reforms which he helps to bring about in every province he comes to rule. Besides the orderliness of his troops and the good roads and dikes that they have built and improved the people of Charhar, Suiyuan, Kansu, Shensi and Honan also remember him by the many schools and institutes for the poor orphans, blind, and delinquents, which he started for them. The need of better sanitation has not escaped his attention, In Sianfu he started a campaign for cleanliness and swept the streets himself. A campaign against flies was also launched in Kaifeng, Loyang and Chengchow this summer. The welfare of the farmers is not neglected. Only three weeks ago a conference of village elders was called at Chengchow, whose purpose was to hear their grievances and needs and also to train them in the Kuomintang principles. Special men are also commissioned to look after the welfare of the railway workers and establish clubs and schools for them and their children,

Has Won Many Friends

The type of work and unselfish service which Marshal Feng is rendering to the people has won him many friends, admirers and followers. Since his return from abroad many have travelled thousands of miles to join him. There are at present over thirty returned students working for him, all at a sacrifice. Many civilian workers are graduates of St. John's, Nanyang, Soochow and Yenching Universities, Although these men have to eat poor food and receive very small remuneration, they are happy in the thought that they are doing something well worthwhile.

Some readers will perhaps be more interested in the religious convictions and political ideals and reforms which he brings to the people. To deal with this phase I may conveniently answer the following questions, which have been frequently put to me by some Chinese and many foreigners.

(1) Is Feng still a Christian?

(2) Is he red?

(3) Is he anti-foreign?

Is Feng Still a Christian?

Recently there has been crop of rumors current in foreign circles about Feng's turning against Christianity. If words are not to be trusted, at least his religious life and his recent actions in giving protection to the Christian missions ought to give the lie to this rumor. It is true that religious work in his army has very much slackened recently, but this is due to the scarcity of chaplains, the great majority of whom left the army immediately after the Nankuo retreat; and to the continued movements of the army. Feng is a staunch believer of religious freedom. While he would not compel men to accept Christianity, he will not stand any molestation or interference with the Christian missions. Last month an order was issued to Chin Yun-Ao's generals to evacuate their soldiers from all the mission compounds and foreign residences of the French and Belgian engineers in Chengchow. It is quite obvious that this rumor was circulated by propagandists withthe malicious intention of doing damage to his character and reputation. But after all, facts are facts and no propangadist can mislead all the people all the time.

Is Feng Anti-Foreign?

Again, if Feng is anti-foreign can you mention one single instance in his territory where an anti-foreign agitation was allowed to take shape or the life of a foreigner has been endangered and his property looted? I frankly assert that Feng is strongly opposed to the imperialist system which shackles China. He is uncompromising in his attack on the special privileges and vested interests of the foreigners in China. But to attack the system which is a heritage of bye-gone days is one thing, and to protect foreigners who are pursuing ligitimate callings in his territory is another. There is no inconsistency for him to be a friend to the foreigner on the one hand and to oppose the policy of the foreigner's government on the other. He has no patience and friendliness only for those foreigners who are here to serve as tools to exploit the Chinese. At present foreigners can find no safer place to live in and to carry on their trade or missionary work than in the provinces under his control. As I have said, residences of the French and Belgians employed by the Lung-Hai R. R. have been evacuated. These men are encouraged to go back to their work. Many missionaries have already returned to their fields of service.

Is Feng Red?

The charge that Feng is red, at once wide spread, it has been exploded by the telegram he sent out immediately after the Hsuchow Conference. In this telegram he condemned the actions of the Communists in Hunan and Hupeh provinces and demanded the immediate retirement of Borodin. Kansu, Shensi and Honan have all been rid of the communist elements. Feng has always been a radical in his ideas and action and this is perhaps the reason why he has been stigmatized as red for at one time Bolshevism and radicalism were synonymous terms. But people point tohis Russian connections as concrete evidences of his Bolshevism. This can be easily explained. Feng has no seaport through which he can buy ammunition. Even medical supplies for his army he has to purchase from Russia. Moreover, Russia is a Close neighbor to China and especially to Kansu and Suiyuan provinces under his control. As to Russian advisers, Feng may be pardoned for employing them, if Chang Tso-lin and Sun Chuanfang are employing men of other nationals to aid them in strangling the Nationalist movement. Moreover Russia was the first country to relinquish the unequal treaties with China and to treat China on terms of equality. Dr. Sun Yat Sen said that

(Continued on page 90)

The New Mayor Discusses the Shanghai Problem

By Chang Ting-fan

ANY discussion of the problem of Shanghai would sound extremely hollow and leave a bad taste in the mouth should it fail to take into account the historic position of this unique municipality. The original Land Regulations of Nov. 29, 1845, defined the boundaries of an area "within which British subjects were permitted to acquire land by individual agreement with the Chinese owners."

There was neither mention of a Shanghai Municipal Council, nor of any police or taxing power. Article XXII provided that the interpretation and amendment of the articles "should be the duty of the local authorities (Chinese and foreign) in communication together." The 1854 revision of the Regulations was drawn up with the approval of the American, British and French consuls, without any aid from Chinese authorities. Repeatedly and specifically the Revised Land Regulations stipulated that the Government have sovereign rights to the land within the settlement. In 1862 when the British consul illegally refused to permit the Chinese Government to tax its own subjects residing within the settlement, Palmerston and Russell, then Prime Minister and Foreign Secretary respectively, declared that:

> "The lands situated within the British Settlement are without doubt Chinese territory, and it cannot reasonably be held that Chinese residents within these limits need not fulfil their natural obligations to pay taxes to their own Government."

The Shanghailanders, then as now, enforced their views with threatening moves — treaties, home government, or reason to the contrary notwithstanding. The 1869 and 1898 revisions of the Regulations, like previous international complications, were never submitted to the Chinese Government for consultation and advice. Such, in brief, is the history of the International Settlement of Shanghai.

Gen. Chang Ting-fan, Mayor of the Shanghai-Woosung Special Administrative District.

While metropolitan consolidation, public utilities and city planning occupy the attention of the administrators of Western urban centers, Shanghai painfully tolerates the existence of the unprecedented grotesque anomaly of having three separate administrations. The *impasse* would not have been precipitated had most of the British residents been less blatant in their violation of international obligations. The present limits of the International Settlement reach far beyond those originally drawn. They claim the right to regard the Settlement as neutral territory in civil or even in international wars, of giving asylum to criminals and of barring or expelling any Chinese whom they dislike for which they can not find even the most flimsy basis in the treaty stipulations. As early as July 11,1854, when the Shanghailanders met to inaugurate the Settlement, the then British consul said:

> "Neither Great Britain, nor the United States, nor France, has undertaken by treaty to protect their subjects ashore in Chinese territory, nor could they, by treaty, legally do so without the consent of the Chinese Government."

Yet in 1913, the Shanghai Municipal Council sent its police to clear a revolutionary army from the northern suburb of Chapei and today, the British Government had spent up to the end of last month, four million pounds for her expeditionary forces.

One foreign writer rightly diagnosed the malady in one of his editorials when he declared, "when it comes to the observance of law, the British have been the greatest and most notorious violators in China." When a group of persons believe with that Florentine municipal employee and political pamphleteer who said that states owe no duty to one another, we are afraid that they can be expected to do no better than act as these frequenters of the "longest bar." For them, as for other fallen princes, might is right.

The Nationalist Government has long proclaimed its policy of amity and peace for all foreign states and their citizens, but it cannot and will not tolerate special privileges which have no basis in treaties and conventions. A city of over a million people, 97 per cent of whom are Chinese and pay more than 80 per cent of the taxes without having the right of municipal suffrage, can not endure. The Nationalist Government will treat all friendly Powers with infinite good will and patience. But it can not reconcile itself to extra-legal privileges. We can rest assured that

(Continued on page 78)

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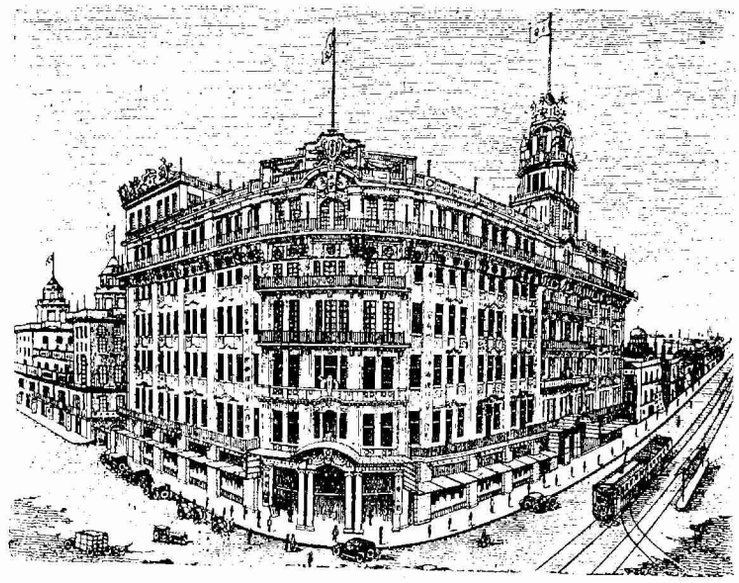

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An Interview with General Chiang Kai-Shek

By Henry F. Misselwitz

(In The New York Times)

IT is not far as miles go from Shanghai southeast into Chekiang province to the mountain village of Chi-ko, nestling in the green wooded hills where General Chiang Kai-shek, at present the retired military leader of the Nationalist revolution, was born. Yet to reach this spot less than 150 miles away one must travel the better part of a day and a night; and in the heart of that hill country one may find Old China, unchanged by the parade of the years, as ancient and interesting as a pag from the story of the days of Marco Polo. Old men and small boys tend sheep in the verdant valleys beneath tall peaks whose slender, dense evergreens pluck white fuzzy tufts of clouds from the bowl of blue sky above. Water buffaloes punched with sticks by half naked little brownish skinned fellows walk interminably in a circle under thatched round roofs and thus roll a heavy stone over grain, powdering it into a sort of flour which these simple folk use to make those flat pancakes one sees in big trays at every hamlet. Men and women under large floppy straw sunshade hats work long days in the broiling summer sun cultivating endless fields of rice in exactly the same manual fashion that their forefathers, now buried all about them in those odd raised stone graves some covered with grass, centuries old, raised rice.

It was not long ago as things in China go since Kai-shek son of Chiang, the wine merchant, was running about the narrow dirty streets of Chi-ko, a lively youngster who, even then, they say, was always the leader in boyish games and simple sports in the village. He liked to play soldier, and whenever a company of soldiers came that way Kai-shek was thrilled for days. His father wanted the boy to become proprietor of his comfortable business in the little wine shop and carry on the family name in Fenghwa county as he and his ancestors had done for these many generations. But the boy grew into manhood with no thought but that of becoming a soldier. His ambition drew him into military school and by the time he was twenty he had gained parental permission to go to Japan to study military science and tactics. It is said that there he attained good marks and some little fame for his brilliance as a strategist and practical soldier. He returned to China to join the revolution against the Peking military regime and four years ago he was climbing to the position which a year or so later he was appointed to through the influence and friendship he had with the founder of the Kuomintang movement, Dr. Sun Yat-sen. The mannish play-soldier became Commander-in-Chief of the Nationalist Revolutionary Armies that a year ago last May left Canton and came rapidly to the Yangtze River. He learned something of politics in the years that he studied soldiering, too; and this combination aided the ambitious youth in his climb to fame.

This Picture of Gen. Chiang Kai-shek Was Taken at the Entrance to the Ming Tombs at Nanking, Just Prior to Gen. Chiang's Retirement to Private Life. The Accompanying Interview with Gen. Chiang Was Obtained by Mr. Henry F. Misselwitz, Special Correspondent for the New York Times, After the Nanking Generalissimo Had Retired to His Native Village in Chekiang Province.

His Native Village

A half dozen years had passed since Kai-shek visited his native village. His parents, they said in Chi-ko, long since had died. The old name of Chiang no longer is famous for fine vintages of Chinese light wines. It has a new significance. A native son of Chi-ko had become probably the most outstanding figure in the revolution in those half dozen years of his absence. The villagers did not blame him for remaining away.

"The lad," they said, "has been pretty busy," and they wagged proud heads at what young Kai-shek had accomplished. For the Chinese of any village feel as proud over the accomplishments of one of their own number as they do, almost, of one of their own family. That, to be sure, is not peculiarly Chinese.

The lad who had been "pretty busy" returned the other day to his native village. In China, a man always speaks of his "native village," never his "home town." That he returned a deposed leader made not the slightest difference to his fellow townsmen. Indeed, it is most doubtful that they knew why he had come.

General Chiang hurried through Shanghai from Nanking on his way home. He left his manifesto of resignation with the civil officials and went away. I followed him into the quietude of his retreat. I was not alone in my quest. The Commander-in Chief made it difficult to reach him, but all paths lead to his door and day and night scores of people make the tedious pilgrimage to his temple on top a high hill where, "far from the madding crowd," he sought peace and

rest. It is denied him, for his day is as full as ever of conferences and calls. Perhaps it will not always be thus, if he persists in his retirement. After he has settled his affairs, petitions for his return grow less numerous. Chiang may find time to play. His vacation "lodge" is not in his old home in Chi-ko for the moment. It is straight up that tall old mountain above little Chi-ko, about five miles climb, to where, just over the ridge, a temple sprawls in a virgin wilderness, and cool breezes make life pleasant in the midst of a torrid August. The temple is old and little used. A score of monks live there, studying the word of Buddha and maintaining the ancient place in a degree of order. It is quiet and restful, an ideal place for one seaking surcease from the turmoil that agitates the valleys below.

In the Land of Chopsticks

It was here that we found General Chiang after journeying all night and a day. There were four in our party—myself and Mr. H. V. Kaltenborn, associate editor of the Brooklyn Eagle gathering material for lectures and articles; and two Chinese who acted as guides and interpreters. Nothing but Chinese, and the dialect of the district at that, is understood in this hinterland away from the ports where foreigners are seen. We were the first foreigners in four or five years, a curious old parchment-skinned chap told us in Chi-ko, to visit that area. Our caravan created no end of interest and some little amusement, particularly at meal time. Knives and forks are tools of the devil in this land where chopsticks are the only utensils of that sort in use.

We left Shanghai at 6 o'clock on the evening of Wednesday, August 17, on board the steamer *Ningshao*, bound for Ningpo as our first port of call. From there we could get up into Fenghwa which, incidentally, is a district and not the village, as I at first was told in Shanghai. We expected to be rather isolated on this Chinese steamer, having heard tales of th; danger of traveling anywhere off the beaten track these dayse but to our surprise we met one other foreigner on board, a Dr. Thomas of the Baptist Mission in Ningpo, returning to his post there a few days in Shanghai. And we also discovered a mutual friend in Dr. Fong Sec, head of the English section of a large publishing house in Shanghai. Dr. Fong, with his wife and family, was going to the holy island of Pu-to (pronounced poo-doo) for a fortnight. His two daughters, bobbed haired and wearing modern sport dresses, and Mrs. Fong spoke perfect English, Mrs. Fong having been born in San Francisco. We joined forces, as it were, our two parties feeling more at home together than with the Chinese passengers with less foreign achievements. We discovered a party of half a dozen or so Nationalist officers were going to see General Chiang, also, so that our journey, it seemed, would not be lonesome anywhere along the route.

Dr. Thomas said at dinner tonight (August 17) that the new Baptist hospital in Ningpo is nearing completion. It is a modern institution of about 80 beds, costing approximately $250,000 Mex., of which, he said, nearly $100,000 has been raised among the Chinese.

"It is a co-operative institution," he said. "We have had contributions from all sides, including the Nationalists and from Marshal Sun Chuan-fang, when he was in control here. Our board of directors is chiefly Chinese."

He said there are only about a dozen foreigners in Ningpo now, as compared to the 125 or so in ordinary times. However, he minimized the danger of living there, as most people do who persist in refusing to evacuate. And so far as I have seen anywhere in the Yangtze Valley and its vicinity, these people are right. The Chinese on the whole are not hostile. The soldiers at times get bothersome, but only rarely.

Dr. Thomas, incidentally, a Boston man, said he sees a new type of Christianity, or a new attitude, better, among the Christian missionaries in China. "We are becoming more tolerant of other religions," he said. "We shall continue to teach the word of Christ and to carry on our work in China; but we are gaining a broader view of things."

A Queer Customer

A queer customer aboard is a little Cantonese chap who calls himself "Professor Young." He speaks English fluently, as well as German and French, and a little Russian, as he pointed out in his persistent conversation—and I must say he would probably make a good reporter, with his insatiable quest for information about every one whom he meets. He knew all about me in ten minutes, I swear, and despite his vacuous round fatuously smiling moon face and his hair, long as an old fashioned girl's and curled up in some monstrous fashion that made it appear bobbed, this fellow is no dumbbell, as it were. He whisked my card out of me and after peering at it demanded to know who founded The New York *Times* and in what year. I had to confess ignominious ignorance as to the answers to both queries, and shall never forgive the fellow for that bad moment. I shall write at once for this information, which may be one bit of good out of as pestiferous a person as I ever hope to meet. The Professor has been to America once, he confided, and wants to go again. This is fair warning. He candidly admitted he travels "as a guest of the public," that he has no connections anywhere and that he picks up a little money now and then by selling photographs of interesting people and strange places. His album is filled with photographs of prominent persons in China, with autographs of most. He criticized Ghandi, spoke intelligently of American journalism and its history and the founders of certain great dailies, discussed life in Paris, Berlin and most other cities in Europe, and confessed he had not been in China for twenty years until his return a year ago. He is now, he admitted, writing a "History of China," which he also admitted will be a valuable volume. He has no idea how he will get from Ningpo to General Chiang, and he won't have any as far as I'm concerned. But he will get there, of that I have no doubt. He wants to exchange Chinese photographs for some I have in my collection of those I took in Japan, to which I admitted possession.

I am certain he will call on me at my club in Shanghai. He is a persistent rascal. Well, that will be a job for the watchman. I detest unusual persons, especially if their luggage consists of nothing whatever but two cameras and a pith helmet on a week's journey in the perspiring heat of midsummer.

The Noisy Coolies

Thursday, August 18.—These Chinese coolies can make noise in more ways than most ordinary people. We arrived at Ningpo at dawn and we knew it at once. Ningpo is two hours by steamer up the Yu-yao River, incidentally, being inland, as is every chief port along the China coast. Countless bells of the tiny servant calling type were jangling the moment we were in sight of the dock. They sounded like all bedlam broken loose. I discovered later they belong to the ricsha coolies, who ring them constantly while seeking customers and while trotting through the narrow winding streets. It is a vile habit and gets one's nerves, especially at dawn.

We had three hours to wait while our Chinese got a houseboat and launch and provisions for the upriver trip, so I took a ricsha and an interpreter for safety's sake and drove out to the other side of the city to call on Dr. Barlow, also of the Baptist Mission. I found the good Doctor up to his arm pits in the stream that flows alongside his house, repairing his little boat. He has just acquired an engine and was busily fixing a place at the rear of the flatboat for it. He wore nothing at all so far as I could see, but on emerging it developed he had bowed to convention sufficiently to don a scanty pair of swimming trunks. We chatted a while about the hospital, which is quite a building already, half Chinese half foreign in architecture, and about his work. There is little enough to do just now, it seems. His family has gone home and he is alone on the job, with Dr. Thomas and the handfull of other foreigners, mostly merchants and customs people, in Ningpo. This city is a depressing spot at best. He was interested in news of Chiang Kai-shek and especially in the rumors of the coming wedding with Miss May Ling-Soong.

Things Comfortable

The British-American Tobacco manager in Ningpo, a man named Varhol, was aboard when I got back. He is assisting us in every way to get things lined up for a comfortable journey, furnishing his houseboat and launch, and camp beds and chairs and all the rest of it. These foreigners in the out ports are most hospitable and Mr. Varhol was no exception. Without him, we would have had no end of delay and trouble. We got under way finally about 10:30 o'clock this morning (August 18), the tiny launch tugging us upriver. We go up the Fenghwa River, which joins the Yu-yao right at Ningpo. Slowly, for the houseboat is a large affair, we moved into the stream and upriver past scores of picturesque old junks and myriads of scuttling sampans, along the dingy old Ningpo Bund (it too is narrow; there is not a motor car in the city, the streets are so small), and so into the open country beyond.

We had tiffin aboard, an excellent meal served by the cook-boy we had acquired at Ningpo. The journey so far has been de luxe. Rain squalls delayed our progress from time to time, the wind being against us and at 1 o'clock we found we were less than half way to where we take sedan chairs or ricshas across country. At that rate, we would not make General Chiang's temple tonight. We conferred and Mr. Kaltenborn advised cutting away from the houseboat and going ahead in the launch. We did this, taking as much food as possible in two baskets, our bedding, camp cots and toilet articles. After an hour or so the rain quit and we got only a little wet, using umbrellas to shield the food and ourselves.

We got a thrill about 2:30 o'clock, when a junk moved into the stream ahead of us and a soldier signaled us to stop. We

did. He only wanted to know if we could take him and his orderly up river with us. Already heavily loaded with five of us in the tiny launch, including the boatman, we were inclined to refuse his request, but the Chinese advised against this, and there seemed to be nothing for it. So the two clambered aboard and we set off again, slower than ever. A few miles on as we got into the foothills, the stream swindled until our propellor was half the time digging up mud in great shape, and we were barely moving. We muddled through until almost four o'clock, when the boatman grunted and we went aground. We could go no further. The stream had become nothing much better than a little mountain rill a few yards wide. We got out and walked to a little village a quarter of a mile beyond, where we got ricshas to the place whence we took chairs. The launch, lightened of all of us but boatman, came on to the village, where we left it, instructing the boatman to wait for our return the next day.

There were some 300 soldiers of General Chiang's guards in this village of Kiangkow. We were greeted most cordially and had no trouble in getting ricshas for the hour's ride to Shaowangmiao, arriving there at 5 o'clock after an interesting ride through rice paddy fields in the shadow of green mountains. The sun sank low behind the hills. In 30 minutes we had procured four sedan chairs and a carrying coolie for our luggage. With 10 chair coolies, two to a chair and two relief men, we were off for Chi-ko, 20 Chinese "li" distant. A li it about a third of a mile.

Riding in a Sedan Chair

Riding in a chair is not uncomfortable; but after a while is becomes tedious, and Mr. Kaltenborn and myself found relief in walking every now and then. He went in for that more than I but a change even though it be walking along the narrow lane through rice fields on a hot day, is welcome. The next time we shall get "sleeping chairs," in which one may recline. It is much easier on the back. Chinese peasants turned to stare at our party as we swung along in the twilight. We met many farmers returning home, weary after a day under that sun; and every one of them was not unpleasant, to say the least, looking docile and kindly and not at all as though we were the hated foreign devils they are supposed to think us.

We reached Chi-ko-at 7:30 o'clock, just as the first stars were beginning to pin down the coverlet of the night. The town was *en fete*, scores of children running about with picturesque lanterns in all shapes and sizes, from big red fish to an airplane. It was a parade in honor of their returned General. We went inside General Chiang's house. It was rather a large house for Chi-ko, indicating the Chiang family had enjoyed a certain degree of merchant prosperity, at least. Soldiers were dining in the outer room, apparently officers of his guard. Our interpreter told us we were most welcome, the officers bowing and smiling genially. We discovered we were expected—Mr. T. V. Soong, former Minister of Finance in the Hankow regime and a friend of Chiang's, having wire dahead.

General Chiang has had a private telegraph line strung up from Ningpo to his headquarters up in these hills. We brought out our food and dined at a table given us for that purpose I never have been quite so much the center of all eyes before. The kids' parade broke up for the moment and the whole town, it seemed, crammed in at the doors and climbed up to peer in at the windows as we ate. They said we were the first foreigners to come that way in four or five years. Many of the children could not remember ever having seen a "wai-go-jen" before. They asked if we were Americans or not; and when we said we were, they seemed pleased, grinning industriously.

We had to hurry on, for General Chiang was in his temple high above us on the hill. Leaving Chi-ko about 8 o'clock, we pushed on across the nar row strip of valley between us and the mountain atop which the General is staying. At the edge of the village, we ran intc the lantern procession. Our chair coolies, undismayed, stalked right down the same narrow street the parade was coming up, and we were in the midst of bobbing lanterns and clashing symbols and a great babbling of many voices. It was a great sight, those paper fish, animals, lanterns of all sizes and forms carried by children, some infants in armsholding swaying lanterns on thin reeds, carried along by their elders. Why the children were giving the demonstration we never discovered. Perhaps it was their day.

Travelling at Night

Through the night we jogged, our own chairs forming a sort of lantern procession. Fire-flies in great hordes sparkled amid the tall grass and scattered bamboo trees. In an hour we noticed other chair processions. Up the winding mountain path we climbed, walking part of the way, riding when we got tired. These sturdy Chinese coolies are marvels. With our load, two of them could go right ahead at a great pace, up the steepest inclines. Their legs are heavily muscled, hard as steel. Below one could look back into the valley and see other pilgrims such as ourselves traversing the long path to the mountain top to see the retired leader. His seclusion" is a myth. Even in this far wilderness, General Chiang cannot get away from the affairs of state and war that he seeks to forget for a while

At last the temple. We arrived before its massive wooden gates at 10 o'clock. There were at least 10 chairs and some thirty coolies as well as the 10 of us who rode gathered outsid the temple, beneath tall pine trees whose needles pointed to the stars so close it seemed one could pick them out of the sky. An orderly took our cards and a letter Kaltenborn had from T. V. Soong to General Chiang and with a grunt disappeared past the court yard into the dark building beyond. We waited. He returned and opened the gates. Everybody entered. A shout went up as the coolies brought in their chairs. The guard harshly ordered silence. The General had retired.

We were led into an inner chamber and offered food and tea. We drank the tea. We could not see the General that night, but after long parleys with his secretary we made it clear we wanted to see him early the next morning in order to get under way to catch the 4 o'clock Ningpo boat for Shanghai on Friday. We were then shown to another room in this rambling old temple, where we found mats on wooden couches ready for our use. We were given every courtesy. We got out our bed clothing laid it over the mats and before 11 o'clock were asleep The silence in those woods was heavy.

Friday, August 19.—Booming temple bells awakened us at 5 o'clock this morning. Their resonant tones sounded through the woods and filled the air. The sunlight streamed in at our window. We arose and found a coolie had brought hot water and towels.... all the comforts of home. General Chiang's valet, a young man I remembered from our Hsuchow-fu trip in June, soon appeared and brought us oranges (Sunkist oranges from home, if this occurrence may be recorded without too much the color of free advertising) and breakfast, including hot milk, cakes, bread and a sort of chocolate wafer. While we were eating the valet returned and announcel General Chiang was waiting to receive us.

We found him on the broad verandah outside the main building of the temple. He had chairs arranged around a small table, on which hot green tea was placed, together with the inevitable little delicacies such as nuts, candies, etc. General Chiang was dressed in a silk suit much the same as a foreigner might wear except that the coat buttoned up around the neck in semi-military fashion. It was the uniform of the Kuomintang, designed by the late Dr. Sun Yat-sen. He wore silk sox and patent leather pumps. He looked cool, and rather less worn and drawn than when I last saw him on the way back from the Hsuchow-fu front. He greeted us cordially and with me shook hands a long while, expressing his appreciation of the hardships one has to go through to get to this out of the way place and demanding we remain over the day so that he might take us on a hike around the hills, and show us a particularly beautiful waterfull not far away. He was sincerely disappointed when we told him we must rush through the interview and get back to Shanghai, where things were happening and we could not afford to be away more than two or three days at the most. He suggested we had time to go to the waterfall anyway, and ordered an escort for the journey. But we could not make it.

General Chiang was bitter against the Japanese. He said he believes them responsible for his defeat in the north and the failure of the Nationalists' nothern expedition in July.

"Their occupation of Tsinan and the railway blocked us," he said. "Our success was assured until Japan stepped in. They are responsible for the failure of the Northern Expedition."

Chiang said he did not want to talk any more about this, nor would he go into details about his quitting as Commander-in-Chief. He said: "My reasons are in my manifesto given out in Shanghai. There are no other reasons."

He takes his position philosophically. There is a bit of the egotist in this young General, pardonable no doubt in view of his achievements. He was asked if he didn't think his leaving the revolution at this time of crucial happenings was bound to weaken the cause, and he said: "Yes, I think so." Cryptically enough. But he said he had to quit in view of what had gone before, and referred again to his long message of resignation. In this, it will be recalled, he said there had been too much opposition to him personally, and that he thought until confidence in him were restored he had best get out. He bowed to the criticism of Hankow, it seems, and to the political exigencies of the moment.

Will Visit America

The Commander-in-Chief said he might return to the revolution. "I am too much a part of it; it is too much a part of me, for me to get out for all time. I expect to return to the movement, but I do not know when. I would like to go abroad."

"Where?" I said.

"To America first," Chiang replied. "You tell me they are sympathetic there. Well, I would like to go and see. After that to Europe and elsewhere. It is all indefinite, of course. But I need a real rest."

He intimated that there were overtures being made to get him back into the Party. He is undecided, but he intends to remain in his temple retreat for a time, in any case. He smiled when we referred to the many visitors he is having, even up here. "Yes," he said, "one's real friends take the trouble to journey into a place like this to see one." He said T. V. Soong is expected in a few days. Soong probably wants to urge Chiang's return. It may be, of course, Soong has convinced his Hankow colleagues that Chiang is not such a militarist as the Communists in Wuhan made out in their anti-Nanking propaganda. In that case, if Feng Yu-hsiang is agreeable (and it appears superficially that he is) Chiang may be urged to return—and he might do it. If he hasn't unanimous support, he will go abroad.

"I have been working steadily in the revolution for four years," Chiang said. "I am tired. I would like to go abroad. But I am too much a part of this revolution to quit it now. I shall do what is seen as best for the movement."

We talked for nearly an hour and then, after photographing the General on his "front porch," with his little 11-year old son, Chiang Ching-pang, we left. He still protested we had time to see his favorite beauty spot, the waterfall which, he said, "is a unique sight and worth waiting a day to see," but we, to our genuine regret, were forced to decline. We left in our chairs at 8 o'clock. The interview had begun at 6:30 a.m.

Swinging over the ridge and down into the valley below we had a half hour of one of the most marvelous views I have ever seen. We could see for miles across the plains to where mountains rose again on the far side, and below us, a mountain stream widened into a little lake whose still waters glistened like a great pearl in the early morning sunshine.

The journey down to our boat at Kiangkow took from 8 in the morning until 1 o'clock. The heat in the valley was terrific. We got to Kiangkow at noon, as a matter of fact. but the boatman, remembering the mud and shallow stream, had parked his launch 10 li away. We had to walk it through the midday furnace of that valley, and we arrived an hour later on foot through the humid swampy rice fields, dripping with perspiration, not a dry article of clothing on one of us.

Lunch on the Launch

The steamer left Ningpo for Shanghai at 4 o'clock. We decided again not to use the houseboat, which had reached this point during the afternoon and night, but to hurry along in the launch, We ate lunch on the launch, opening a tin of ham and one of minced beef and, since we had no knives or forks this time, scooped the stuff onto hunks of bread with our fingers, using the stream as a finger bowl. We also devoured a can of inned pineapple and that was that. At 2.45 o'clock we were only about half way to Ningpo and the prospects of catching the boat were dim. Then a large launch, on the regular upriver run, hove in sight and we hailed it. Clambering aboard,we found it jammed full of Chinese, of the peasant or coolie class. They were most friendly, laughing and jabbering away at our arrival. One remarked in Chinese;

"Well, I must say I have seen whiter foreigners than these."

He doubtless was right, Our faces were a bright red and the sunburn still smarts, despite our broadbrimmed straw hats.

The launch got to Ningpo just at 4 o'clock. We raced then along the Bund a half mile to where our steamer was to depart. It had gone. We could see it a quarter mile down stream, but far from our hopes of catching it. However, our Chinese discovered a Chinese steamer alongside that was leaving at 4:30. We sighed with relief. To spend a night and a day until the steamer arrived at 4 the next day in Ningpo would have been fatal.

We got under way at 4:30, after paying off our bills and telling our Chinese friends many thanks for a most diverting trip. The voyage was uneventful during the evening. We passed the other ship, incidentally, about 8 o'clock, much to our glee. After dinner, which we ate in solitary splendor, the Chinese dining on rice and things at 6 o'clock and we having "foreign chow" at 7, we turned in and slept the sleep of the righteous.

It was by my watch 3:25 a.m. August 20 when we were awakened by a terrific series of explosions. Leaning out of my bunk, I peered out into the night. Boo-o-o-omm-m-m-, and a flash of fire came from a dark ship not 400 yards away. Again this was repeated. Shrill cries came from the women aboard, men rushed about. I went on deck in kimono to discover the trouble. It appeared a Chinese warship was firing at us. Altogether six shots came roaring over our head, one landing just a head of the bow and skittering across the water. It was no fun, that business; and I returned to search the cabin for a life belt. There was none.

The Chinese cabin boy who could speak English said the ship was a gunboat sent by Chang Tsó-lin to bombard the Woosungforts and harass shipping. This after he had said the guns were a signal to lay to and anchor for the night. I told him that story "belong no good," and he admitted he was trying to prevent our being worried. The warship apparently gave it up as a bad job, and after six shots ceased firing. Why they didn't chase us if they wanted us is still a mystery. But they turned their broadside away, to my vast relief, and disappeared into the night. Another version of the story was that they were bombarding the Woosung forts. But we were not yet near Woosung, and besides the forts did not reply. I finally went back to sleep to dream of battles until dawn, and was glad to get a rikisha at 6:30 as we came alongside the Bund in Shanghai once more. A bath and civilization brought to these shores by the "imperialists" won't seem too bad.

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Educational Program of the Nationalist Government

By King Shu

Ever since its inauguration, the Kuomintang has considered education as the foundation of the political and social progress of future China. Though there was no concrete educational program formulated before the establishment of the Nationalist Government of Nanking, we can find in the "Three Principles" and other Kuomintang literature a number of quotations concerning the advancement and reorganization of education. The present educational program of the Nationalist Government may be traced from the resolutions of the First Conference of the Kuomintang, in 1924. A part of the resolutions reads:

"Equality between men and women is legally, economically, educationally, and socially recognized in order to hasten the progress of the rights of women" (The Interior Policy, No. 12).

"The Kuomintang aims to promote popular education, to develop education which shall meet the needs of the children, to reorganize the system of education, to increase the educational fund, and to safegaurd the financial independence of education" (The Interior Policy, No. 13).

"The returned Boxers Indemnity shall be used solely as an educational fund" (The Exterior Policy, No. 5).

I.— Principles of the Educational Program

Of the three Quotations above mentioned the second reveals a great deal of what the Nationalist Government should plan foreducation. But during the past few years while the Northern Expedition was in preparation, nothing could be done towards the advancement of learning and culture. Since three fifths of China has recently come under the control of the Nationalist Government, the Executive Committee on Education, the temporary and highest authority on education in the Central Government, has worked out a list of principles which form the latest skeleton of the program of education of the Nationalist Government. The Principles are summarized as follows:

1. Mass Education is a prerequisite to the Mass Movement

It is one of the ultimate aims of our national revolution to get freedom and equality in the Family of Nations. To realize this aim the mass must be well-organized and well-disciplined to strengthen the force of revolution. Illiteracy must be reduced first by means of mass education, because the mass movement will be a failure if the people are illiterate. Therefore mass education has to go along with the mass movement.

2. Compulsory Education is to be put into execution within a short period of time.

Eighty percent of the population, among whom most are adults, has not yet received any education. Compulsory education is of vital importance to-day, if we want to increase the percentage of the educated.

3. Education is to increase efficiency in living.

Dr. Sun said in his addresses that the living conditions of the people should be improved. Education should no longer be a training of vagabonds. It must be adjusted to social needs. Useful trades are to be mastered by the common people through education in order to increase efficiency in their living.

4. School graduates are to be instructed to work rather than to gain.

School graduates should sacrifice their personal interests for the good of the nation. The spirit of service is to be nourished through the new education. They are to be asked to work for service, not for gain.

5. School Military Training is to be provided.

Boy Scout Training is to be provided in the elementary schools, and military discipline in the middle schools and colleges with the hope that a chivalrous spirit is so cultivated that we may check civil warfare, and protect ourselves from foreign invasion in the future.

6. School Physical Training is to be emphasized.

Formerly the Chinese paid very little attention to the question of health. We have to create an atmosphere of emphasizing physical exercise among students, and the people as a whole.

7. The student movement is to be directed under the guidance of the Party Organ.

To avoid illegal and undesirale actions, the student movement shall be directed and supervised by the party organ. The principles of the Student Movement shall comform to those of the Kuomintang policy. Selfish interests and personal prejudices are to be absolutely eliminated. For this part, a separate program has been drafted by the Executive Committee on Education.

8. Scientific Education is to be specially emphasized.

China is below the margin of material cilivization, because we have made no rapid progress in science which is the basis of material prosperity. Laboratory work and proper equipment has the determination to promote scientific study and research.

9. Efforts are to be maae to restore to Chinese control, schools now under the auspices of foreigners.

Missionary schools and schools under the auspices of foreigners shall be taken over under Chinese control, since they neither have registered with, nor have been supervised by the Chinese Educational Authority. The restoration will be put into execution as soon as we have an adequate educational fund for these schools.

10. Separation of Religion and Education is endeavored.

In the Middle Ages, Western Education was unde the control of the monks. This was by no means a good tendency. Education shall be free from all formallities and religious creeds. The religious training and church services are to be made voluntary.

11. A definite school fund is to be set aside and shall be used for no other purposes.

If the school fund is to be used for other purposes education will never prosper. Like other enterprises, educational achievement requires money. From past experience, it is apparent that the slow progress of education was, in most cases, due to the removal of the educational fund. The Government has decided to fix the educational fund so as to safeguard the financial aspect of education.

12. Special Vocational schools are to be established by the Government in all commercial, industrial, and agricultural centers.

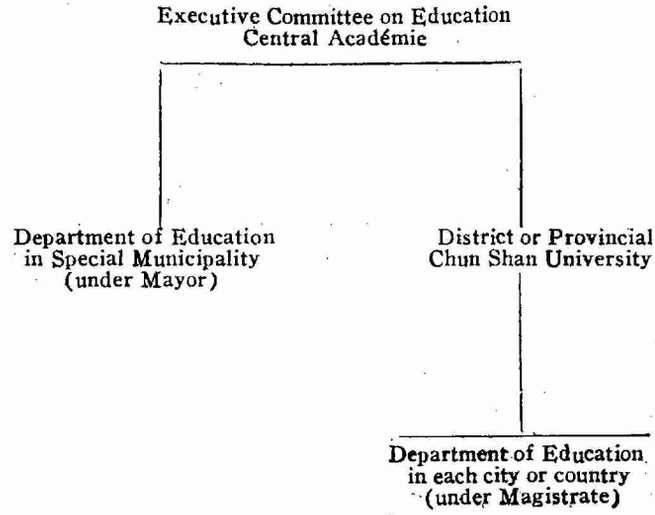
Special vocational schools are to be established in different commercial, industrial and agricultural centers. The nature of schools varies with that of the products of different localities (e. g. a School of Porcelain and Chinaware shall be established in Chingtehcheng, Kiangsi.) In this way competent workmen and traders will be trained and native industries will be trained and native industries will be developed.

II — New Measures for the Advancement of Education

In order to sweep away the old and inefficient educational administration and hasten the progress of education according to the principles of the educational program of the Kuomintang, a number of new measures have been put into execution by the Executive Committee on Education.

1. Educational Administration

In the Central Government there is an Executive Committee on Education, corresponding to the Ministry of Education. Before long this Commitee will be united with a Central Académie, to form the Highest Institution on Education in China. In each province and each special district there is a Chung Shan University, whose president is entrusted, at the same time, to discharge the duties of a Provincial Commissioner of Education. In each special municipality (e. g. Shanghai, Nanking or Canton) and each city or country there is a Department of Education. The following diagram is drawn for the purpose of indicating their interrelationships:



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我對於收回租界之感想

張孫真女士

凡為中國國民 或表同情於中國者 苟一論及 上海租界收回問題 莫不視為當然之事 又莫不視為甚難之事也 收回租界之聲浪 非自今日始 然徒有其說而未能見其實 在外人方面觀之 以為中國人之妄想也 而在我中國國民本身 亦懷疑莫決 吾人敢有此能力收回乎 收回之後 將若何治理乎 此兩事縈繞於吾人之心目 業已有年 而吾國人又毫無辦法 長此以往吾恐數年以後 收回租界之論調 將不復再有存在之餘地 遑論果能收回乎 雖然有志者事竟成 願國人勿存畏難之觀念 持以毅力 必有收回之一日 茲以一事為譬喻 即可知租界收回問題 必有解決之一日也 孫真於民國六年 遊學美洲 收回國後 即欲設一實業 其目的有三

(一)能使我國女界得一專門手藝 自謀生計 (二)減輕男子之負擔 共圖家庭之幸福 (三)振興國家實業 挽回外溢利權

照目下情況 以針織品最易入手 亦最合宜 而針織品中 以襪業一門 為最需要之用品 其時吾友聞吾之言 皆謂此舉甚善 惟恐人材難得 仿製之成績 恐未能如舶來品之美觀耳 吾聞斯言 不為稍動 以堅毅之心 冀達到目的 於是于民國六年十月 從最小範圍設立足安襪廠 光陰荏苒 至今十載 年來維持男女工人生計 約有三百餘人 其後別家襪廠 亦相繼而起 由真教授工藝之女工 而投往別家任職者 不下千餘人 以上海一隅之地 女子恃襪廠謀生者 約計萬人 其間接恃此萬人贍養者 總在數萬以上 以一門實業 而維持數萬人之生計 亦良非易事也 同時為國家減輕負擔 收回利源不少 以真之預算 將來國家政治清明 各埠設立襪廠 國民恃此一門實業為生者 當在百萬人以上 數年以前 貴重絲襪 尚有入口 敝廠有見及此 特添置新機 製造絲襪 成績優越 各大公司 乃不復向外國採辦 即貴之絲襪 多仰給於敝廠 敝廠猶有餘力 更販運出口 年來收回利權 亦頗可觀 計十年以來 入口千萬之襪價 幾完全銷滅殆盡 不抵制而抵制 何須倡言抵制也哉 故真嘗云 十年夢境 至今日方應驗也 真設立襪廠後 自問織染一門 尚未精進 遂親赴美洲 入紐黑復專門織染大學 努力研究 始克有今日之成績 至於敝廠最後之發達 則視乎同胞是否愛用國貨之力也 今我試結言之 敝廠成立有兩大問題 (一)數萬同胞之生計可以維持 (二)千萬價值之入口襪可以打銷 此真所謂我夢之應驗也 至於收回租界問題 與余之設立襪廠 以鄙意觀之 亦復類似 凡事似宜循序而進 徐觀成效 以今日之情勢觀之 我國應派員往各國調查政治 訓練人才 整頓我國內地 先從交通入手 水陸並重 俾商務往來毫無阻滯 其次則為整理政 防範嚴密 人民安居樂業 無盜賊之驚擾 將來並實行裁厘加稅 實業振興 利源不致外溢 更多設學校 使貧民得受相當之教育 建設醫院 注重公眾衛生 獎勵新開事業 鼓吹民氣 令人人有愛國之精神 夫如是我國家自有振興之希望 而外人無所藉口 至彼時之租界 將不待收回 而自然解決 言國事者 其亦鑒吾言乎

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A province or a special district in which a Chung Shan University is established is called a University Area (to be experimented first in Kiangsu and Chekiang). This system is borrowed from France. The President of the University is assisted by a Secretariat and three Departments. The Department of Higher Education is in charge of all affairs concerning the University proper and other colleges and universities in that province or that special district, and concerning the students to be sent abroad. The Department of Elementary and Secondary Education is responsible for the work in connection with all elementary and middle schools, both public and private, in that province or that special district. The Department of the Extension of Edueation is in control of all agricultural schools for farmers, all industrial schools for laborers, and other works concerning Social Education.

The University proper consists of ten colleges, namely; College of Natural Sciences, College of Social Sciences, College of Arts, College of Philosophy, College of Education, College of Medicine, College of Fine Arts, College of Agriculture, College of Engineering, and College of Commerce. These colleges together with a Project Department constitute the so-called "Yen Chiu Yuan," a high institute for study and research.

2. Standardizing Education according to the Kuomintang Principles.

In "Standardizing Education according to the Kuomintang Principles" it is not intended to make education a tool of the Kuomintang. Its meaning is three-fold: firstly, standardizing education means to eradicate conservatism in education. Natural sciences and social sciences are to be emphasized as its foundation, secondly, standardizing education means to overthrow all undemocratic institutions of society, and to establish a society of liberty, equality, and love, with the hope that the social revolution is to be completed by means of education. Thirdly, standardizing education means to grant equal opportunities of acquiring education to everybody. Education should no longer be an adornment of the wealthy or aristocratic class. Every body is to be educated for the good of all.

Recently the Executive Committee on Education worded out a tentative plan, for standardization of education in schoolle According to this plan, in each elementary school, midds, school, and college there shall be a Committee on Students' Discipline, composed of from four to nineteen members, to be responsible for the following works:

(1) Supervision

a. To direct students to participate in Party activities.

b. To guide students in their discussions of political problems.

c. To hold students' conferences or personal conversations.

(2) Organization

a. To organize clubs for the discussion of current events or special problems.

b. To guide and promote students' organizations.

c. To organize and train the Students' Army or the Boy Scouts.

(3) Publication

a. To organize and direct oratorical clubs.

b. To have publications issued for the study of the Kuomintang Principles.

c. To examine all publications in the school.

d. To prohibit all publications of radical or reactionary thoughts.

c. To organize groups of publicity.

3. Regulations Governing Private Schools Including Missionary Schools.

The Nationalist Government does not prohibit any Private schools whose administration and curricula conform to the Regulations governing the Private Schools. Missionary schools are considered as one type of private schools. All Christian institutions which constitute a particular group in the field of education in China, therefore, are to be subject to the same regulations, and entitled to the same privileges as other private schools.

The Regulations governing the Private Schools consist of fifteen articles. The most significant ones are translated as follows:

Art. 2. All private schools shall be under the supervision and direction of the educational authorities.

Art. 4. The Board of Trustees shall be organized by the founders of the schools; it shall be responsible for the prospective future of the schools; the Regulations governing the Board of Trustees shall be formulated separately.

Art. 8. Foreigners shall not be elected presidents of the private schools; they are allowed to be advisers under special circumstances.

Art. 9. The organization, curriculum, class period, etc. of the private schools shall be based upon the Educational Acts of the Government.

Art. 10. Religious subjects shall not be made requirements in private schools; preaching on religious doctrines shall not be made a part of class instruction.

Art. 11. Private schools shall not compel students to attend religious ceremonies.

Art. 12. All private schools shall be required to register after the Regulations are promulgated.

Before a school is allowed to register, articles 8, 9, 10, and 11 shall be strictly observed, in addition to the requirements of sufficient funds and proper equipment. The purpose is by no means anti-foreign or anti-christian but to promote an education "of the Chinese, by the Chinese and for the Chinese."

4. Editing and Censoring of Common and "Three-Principles" Texts.

In charge of the work of editing and censoring common and "Three-Principles" texts, the Executive Committee on Education has appointed two Committees respectively. The Committee on Censoring Common Texts is composed of professors, instructors, and educational administrators. Their work is divided into groups according to the nature of the texts, such as literature and language in one group, history, geography, and other social science in another group. The standards fixed by this Committee shall conform to the Kuomintang Principles, and shall be adapted to the purpose of instruction and to the capacity of the students. The Committee has just held its first meeting in Shanghai,and has begun to collect the texts,prepared by the various publishers.

The Committee on Editing and Censoring the "Three-Principles" texts aims to popularize the "Three Principles" of the late Dr. Sun Yat Sen among the people so as to fulfil his will. Besides censoring those "Three-Principles" texts published by the bookstores, the Committee is to edit as many standard texts as possible. The members of the Committee, therefore, shall be Kuomintang members as well as educators.

5. Curricula for the elementary and middle schools.

(A) Curriculum for the elementary schools:

(1) "Three Principles"—The aim is to make the children familiar with the Principles of the Kuomintang and with the international political, economic conditions so that a necessary fundamental knowledge and standardized conduct may be cultivated.

(2) Chinese Language—The aim is to make the children master the common spoken and written Chinese, and develop their ability to think.

(3) Arithmetic—The aim is to make the children familiar with the counting process, and to form habits of accuracy and alertness.

(4) History—The aim is to explain to the children, in general, the evolution of life, the change of society, and the tendency of the world, and to cultivate a wholesome attitude towards life.

(5) Geography—The aim is to help the children understand in general the relationships between the world and China in order to stimulate their interest in the study of natural and social surroundings.

(6) Hygiene—The aim is to teach the children the principles of personal hygiene and public sanitation, and to help them form hygienic and regular habits.

(7) Natural Studies—The a m is to develop an interest in, and a fundamental knowledge of natural phenomena, and an understanding of the relationships between uature and human life.

(8) Music—The aim is to teach children to sing easy songs, understand simple tunes, and have an artistic taste and active spirit.

(9) Physical Education—The aim is to make children physically strong in order to be active and healthy citizens in the future.

(10) Boy Scouts—The aim is to make children intelligent brave, and kind; and to inculcate in them the revolutionary spirit

(11) Drawing—The aim is to develop an appreciation of and skill in art.

(12) Manual Training—The aim is to foster skill in manipulation, habits of diligence, and interest in industrial arts.

(13) Foreign Languages—The aim is to give children some knowledge of foreign spoken and written languages in order to meet the needs of the business world.

(14) Agriculture—The aim is to give children practice in gardening and an elementary knowledge of agriculture.

(15) Industrial Arts—The aim is to help children acquire the practial skill necessary for every day life.

(16) Commerce—The aim is to make the children understand the principles of commerce.

(17) Domestic Arts—The aim is to give the children knowledge interest, and skill in home administration, and train them in habits of frugality, diligence, and order.

(No. 13 to 17 are elective courses in the fifth and sixth year only; the school may offer these courses according to the local needs).

(B) Curriculum for Junior High Schools:

(1) Three Principles—The aim is to make the students familiar with the principles and policies of the Kuomintang, and with the international conditions of the political and economic organizations so as to increase their knowledge of politics and their ability to act.

(2) Chinese Language—The aim is to develop the students' ability in free expression in both written and spoken Chinese, and to initiate their interest in literature as a preparation for self-study.

(3) Foreign Languages—The aim is to help students understand foreign languages to be able to read common magazines and to express themselves in both the written and spoken language.

(4) Mathematics—The aim is to make students familiar with the common theories of mathematics and the counting process, adjusted to social needs and the study of science.

(5) History—The aim is to give students an understanding of the evolutionary process of the race, of the changes of society, of the tendencies of the world, and of the recent life of the Chinese as a whole together with the facts of the present emancipation movement.

(6) Geography—The aim is to make students familiar with the relations between geography and human life, international economic relationships and China's position in the Family of Nations.

(7) Natural Studies—The aim is to give students knowledge of nature, the relationships between nature and human life, and the control of natural forces.

(8) Physiology and Hygiene—The aim is to explain the physiological organization and functions of the human body and to teach hygienic methods for the promotion of the health of the individual and of society.

(9) Manual Training—The aim is to increase the students' skill in workmanship, and interest in the industrial arts.

(10) Drawing—The aim is to develop the students' ability to observe, to express, and to appreciate.

(11) Boy Scouts—(similar to the aim of the same course for the elementary school).

(12) Physical Education—The aim is to make the future citizens healthy and sound in both body and mind.

(13) Music—The aim is to teach students to sing and to appreciate the beauty of singing.

6. Regulations governing pensions and rewards for school administrators and teachers.

The Nationalist Government has promulgated four different kinds of Regulations governing the pensions and rewards for school administrators and teachers.

(A) Annual Pensions for Retired Workers

School administrators and teachers who have worked successively for fifteen years, and whose age is over sixty or those who are under sixty years of age but who have worked for the same number of years in bad health, or those who have been seriously injured during work hours before the completion of fifteen years, are entitled, after their retirement, to receive pensions according to the following rates:

Pensions for full-time workers.

Salary of last month / Annual Pension / years of service	Above $200	$150 to $199	$120 to $149	$100 to $119	$80 to $99	$60 to $79	$45 to $59	$30 to $44	$20 to $29	under $20
under 20 years	$900	$735	$648	$594	$540	$462	$381	$296	$210	$180
20 years to 24 years	$1,050	$840	$729	$660	$594	$504	$413	$319	$225	$192
Above 25 years	$1,200	$945	$810	$726	$648	$546	$445	$342	$240	$204

In table preceding, the figures running across the top indicate the salary during the last month, the corresponding pensions being indicated by the figures at the intersection according to the years of service.

Pensions for part-time workers shall be equal to twenty percent of the average sum of their yearly remuneration during the last three years of their service.

(B) Death Pensions.

Families of the school administrators and teachers who die after they *have* completed ten, fifteen, or twenty years of service, who die for the sake of their service, or who die after being injured during work, are entitled to receive pensions according to the following rates:

For full-time workers:

Years of Service	10	15	20 or death during Period of Service
Pension equal to the Last-Year Remuneration	Half of the Amount	Whole Amount	Double Amount

For part-time workers:				
Years of Service	10	15	20	Death during Period of Service
Pensions equal to the Average sum of the Yearly remuneration of the last three Yers	30%	40%	50%	Whole Amount

c. Annuall increase of remuneration for efficient administrators.

School administrators who have worked for at least ten years, and whose efficiency, is approved by the presidents or headmasters, are entitled to receive an annual increase of remurneration according to the following rates:

Years of Service	10	15	20	30
Annual Increase	10%	15%	20%	30%

(D) Rewards for long-service teachers or instructors.

School teachers or instructors are entitled to receive long-service rewards once for every ten years. The amount of money fixed for this purpose shall not exceed the average sum of the total remuneration of the teachers or instructors during the ten years.

7. Educational Fund

The Central Government has not yet formulated any plan concerning an educational fund for the whole nation. But in Kiangsu, where the Central Government is situated, and where the work of education has had a wonderful success in the past, a financial policy to meet temporary local needs has already been adopted. Therefore in the discussion of the educational fund, I venture, to take Kiangsu as a typical example.

In Kiangsu the sources of the educational fund are three, namely; a tax on slaughter-houses, stamp duties on deeds, an extra tax on grain, and a special tax on cigarettes. Each year the total income amounts to about $3,500,000. Recently the special tax on cigarettes was classified as one source of Government revenue. Therefore an equall amount of money from the tax on grain is to be drawn to make up the budget.

In charge of the provincial educational fund, there is a separate institution, affliated with the Chung San University. The head of the institution is responsible to the Executive Committee on Provincial Affairs for receiving and controlling taxes, assigned for educational enterprises, from different cities and counties; for distributing the fund according to the budget, and for making financial reports. Not a single cash under the care of the institution is to be removed for other purposes. In each city and each county the same system is to be practised.

This Educational Program, though formulated before the cooperation of Nanking and Hankow, will not be greatly affected by this change, in as much as the Program belongs to the Kuomintang as a whole, not to any individual in the Party This may be confirmed by the resolution of the Nanking Conference that a Central Academie is to be established as the Highest Authority on Education, with Dr. Tsai Yen Pei at its head. And Dr. Tsai, in his conversations, also expressed the desire that slight or no changes be made in the educational program of the Government, China, though divided in politics, is always united in Education.

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42-343

The British and American Friendly Gestures To China

KELLOGG

The following account of Secretary Kellogg's declaration in respect to American policy toward China was circulated by Reuters Agency and appeared in the Shanghai newspapers on Sunday, Jan. 30:

THE following is the text of the statement regarding the American Government's policy concerning China, which was issued at Washington January 27 by the Secretary of the Department of State, the Hon. F. B. Kellogg.

"At this time, when there is so much discussion of the Chinese situation, I deem it my duty to state clearly the position of the Department of State on the questions of tariff autonomy and the relinquishment of extraterritoral rights.

"The United States has always desired the unity, the independence, and prosperity of the Chinese nation. It has desired that tariff control and extraterritoriality, provided by our treaties with China, should as early as possible be released. It was with that in view that the United States made the declaration in relation to the relinquishment of extraterritoriality in the Treaty of 1903, and also entered into the Treaty of Washington of February 6, 1922, providing for a tariff conference to be held within three months after the coming into force of the treaty.

"The United States is now and has been ever since the negotiation of the Washington Treaty, prepared to enter into negotiations with any Government of China or delegates who can represent or speak for China not only for the putting into force of the surtaxes of the Washington Treaty, but entirely releasing tariff control and restoring complete tariff autonomy to China.

No Discrimination

"The United States would expect, however, that it be granted most favored-nation treatment and that there should be no discrimination against the United States and its citizens in Customs duties or taxes in favor of the citizens of other nations, or discrimination by grants of special privileges, and that the open door with equal opportunity for trade in China shall be maintained and further, that China should afford every protection to American citizens and to their property and rights.

"The United States is prepared to put into force the recommendations of the Extraterritoriality Commission which can be put into force without a treaty at once, and to negotiate the release of extraterritorial rights as soon as China is prepared to provide protection by law and through her courts to American citizens, their rights and property.

"The willingness of the United States to deal with China in the most liberal spirit will be borne out by a brief history of the events since making the Washington Treaty. That treaty was ratified by the last one of the Signatory Powers on July 7, 1925, and the exchange of ratifications took place in Washington on August 6, 1925. Before the treaties finally went into effect, and on July 24, 1925, the Chinese Government addressed identic notes to the Signatory Powers asking for the revision of existing treaties. On the lst of July, 1925, I sent instructions to our Minister in Peking, which instructions I also communicated to all the other Governments, urging that these should be made the occasion of evidencing to the Chinese our willingness to consider the question of treaty revision. I urged that the Powers expedite preparations for the holding of the special conference regarding the Chinese Customs Tariff, and stated that the United States believed that this special tariff conference should be requested, after accomplishing the work required by the treaty, to make concrete recommendations upon which a programme for granting complete tariff autonomy might be worked out.

Extraterritoriality

"The delegates of the United States were given full powers to negotiate a new treaty recognizing China's tariff autonomy. At the same time I urged the appointment of the Commission to investigate extraterritoriality with the understanding that the Commission should be authorized to include in its report recommendations for the gradual relinquishment of extraterritoriality.

"Prior to this the Chinese Government urged the United States to use its influence with the interested Powers to hasten the calling of the Conference on tariff matters and the appointment of the Extraterritorial Commission and for each government to grant to its representatives the broad power to consider the whole subject of the revision of

(Continued on page 56 col. 1)

CHAMBERLAIN

The following account of Sir Austen Chamberlain's declaration on British policy toward China was circulated by Reuters Service and appeared in the Shanghai newspapers on Monday, Jan. 31:

Sir Austen Chamberlain, speaking at Birmingham to-day, emphasized at the outset that there was no division in the Government as regards the policy towards China. The Foreign Secretary declared that British policy had not changed since his speech last year preceding the departure of the delegates to the Tariff Conference to Peking. Sir Austen stated that Britain's only wish was for a strong, united, independent, orderly and prosperous China. Britain would contribute all that was possible towards that end and she was ready to meet China half-way—she was ready to relinquish her special rights proportionately as the Chinese Government could assure Britons the enjoyment of the ordinary rights of foreigners in their country.

The Foreign Secretary said that talk about British Imperialism was sheer nonsense. "We realize no less than the most patriotic Chinese Nationalists that the old treaties are out of date and we have long felt the necessity for a change and hope that it will be possible to negotiate upon this with a China which is under one Central Government." He emphasized, however, that such a Government did not exist to-day, but the demand for treaty revision was so insistent and so fundamentally reasonable that in spite of the difficulties involved in the prevailing dissensions we must try to negotiate with the contending Government even in the midst of the civil war.

"The principal changes the Chinese desire in the old treaty are (1) the extraterritorial position of foreigners, who can only be tried by their own courts; (2) the tariff provisions preventing China from raising her duties on foreign goods, and (3) the quasi-independent status of foreign concessions.

"Britain is prepared to change all these points because the present system is antiquated and unsuited to modern conditions. It no longer provides the necessary security and protection for the peaceful avocations of our merchants.

"Two days ago our representatives laid a proposal before the Chinese authorities of the North and of the South, expressing a readiness to recognize modern Chinese law courts, without the attendance of a British official, as competent courts for cases brought by British plaintiffs and complainants, and also to apply in the British courts in China the existing modern Chinese civil and commerical codes and duly enacted subordinate legislation. We are prepared to go further still when the Chinese codes of judicial administrations are ready.

Submit To Taxes

"As regards taxation, we are prepared to make British subjects liable to pay the regular Chinese taxation, provided that does not involve discrimination against British subjects or goods." The Foreign Secretary pointed out that this would include taxation levied under the national tariff when such a tariff law was promulgated "and as far as we alone can effect such an object, that would remove the last obstacle to full tariff autonomy.

"As regards the concessions, we are prepared to enter into local arrangements according to the particular circumstances of each case, either for amalgamation of the administration with the adjacent areas under Chinese control or other method of handing over the administration to the Chinese while assuring the British communities some voice in municipal matters. We are going more than half-way but I am certain that it is the right and wise course. We do not ignore the present inconveniences and difficulties but we are thinking of our relations with China in the next century.

"We can enforce these proposals immediately but there can at present be no new treaty because a treaty can only be signed and ratified by a recognized Government and owing to the conditions produced by the civil war we cannot recognize any Government in China as the Government of the whole country."

Sir Austen deprecated the loose, uninstructed talk about the recognition of Canton and said: "We cannot recognize the Government of Canton as the Government of a part of China only, for that would imply British recognition of a division of China. Equally we cannot recognize Canton as the Government of all China, for that would not accord with facts, since the Cantonese control barely one-third of China, either in population or area."

(Continued on page 56 col. 2)

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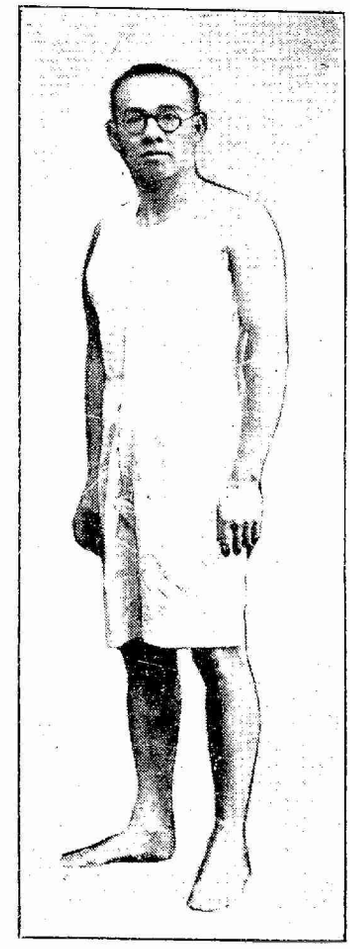

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42-345

Kellogg

(*Continued from page 54*)

treaties and to make recommendations upon the subject of the abolition of extraterritorial rights. This was in harmony with the views of the United States.

"Accordingly, on September 4, 1925, the United States and each of the other Powers having tariff treaties with China evidenced their intention to appoint their delegates to the Tariff Conference. By a note which has been published, the Powers informed China of their willingness to consider and discuss any reasonable proposal that might be made by the Chinese Government on the revision of the treaties on the tariff, and also announced their intention of appointing their representatives to the Extraterritorial Commission for the purpose of considering the whole subject of extraterritorial rights and authorizing them to make recommendations for the purpose of enabling the governments concerned to consider what, if any, steps might be taken with a view to the relinquishment of extraterritorial rights.

"Delegates were promptly appointed, and the Chinese Tariff Conference met on October 26, 1925.

Support Surtax

"Shortly after the opening of the Conference, and on November 3, 1925, the American Delegation proposed that the conference at once authorize the levying of a surtax of 2½ per cent. on necessaries and as soon as the requisite schedules could be prepared, authorize the levying of a surtax up to 5 per cent. on luxuries, as provided for by the Washington Treaty. Our delegates, furthermore, announced the Government of the United St ates was prepared to proceed at once with the negotiation of such an agreement or agreements as might be necessary for making effective other provisions of the Washington Treaty of February 6, 1922. They affirmed the principle or respect for China's tariff autonomy and announced that they were prepared forthwith to negotiate a new treaty which would give effect to that principle and which should make provision for the abolition of likin and the removal of tariff restrictions contained in existing treaties, and for the puting into effect of the Chinese National Tariff Law.

"On November 19, 1925, the committee on provisional measures of the Conference, Chinese delegates participating, unanimously adopted the following resolution:

"'The delegates of the Powers assembled at this Conference resolve to adopt the following proposed article relating to tariff autonomy with a view to incorporating it together with other matters to be hereafter agreed upon in a treaty which is to be signed at this conference:

"'The Contracting Powers other than China hereby recognize China's right to enjoy tariff autonomy, agree to remove the tariff restrictions which are contained in existing treaties between themselves respectively, and China, and consent to the going into effect of the Chinese national Tariff Law on January first, 1929.

"'The Government of the Republic of China declares that likin shall be abolished simultaneously with the enforcement of Chinese National Tariff Law, and further declares that the abolition of likin shall be effectively carried out by the first day of the first month of the 18th year of the Republic of China (Jan. 1, 1929.)

Attempt To Fulfil Plan

"Continuously from the beginning of the conference our delegates and technical advisers collaborated with the delegates and technical advisers of the other Powers, including China, in an effort to carry out this plan, viz. to put into effect the surtaxes provided for in the Washington Treaty and to provide for additional tariff adequate for all of China's needs until tariff autonomy should go into effect. Until about the middle of April, 1926, there was every prospect for the successful termination of the conference to the satisfaction of China and the other Powers. About that time the Government which represented China at the conference was forced out of power. The delegates of the United States and the other Powers, however, remained in China in the hope of continuing the negotiations and on July 3,1926, made a declaration as follows:

"'The delegates of the foreign Powers to the Chinese Customs Tariff Conference met at the Netherlands Legation this morning. They expressed the unanimous and earnest desire to proceed with the work of the conference at the earliest practicable date when the delegates of the Chinese Government are in a position to resume discussion with the foreign delegates of the problems before the Conference.'

"The Government of the United States was ready then, and is ready now to continue the negotiations on the entire subject of tariff duties and extraterritoriality, or to take up negotiations on behalf of the United States alone.

(*Continued on page 57*)

Chamberlain

(*Continued from page 54*)

Declines To Interfere

The Government, the speaker went on, declined to interfere in China: "the Chinese alone must settle what Government they shall have." He drew attention to the difficulties created in dealing with the claims of the Nationalists by the fact that they deliberately and persistently used the anti-British war-cry to rally their adherents. He said that in the past century the British had been the pioneers in China. It was British efforts which had opened China to foreign trade as a result of the so-called Opium War. "We were the principal architects of the treaty system, under which it was possible for merchants belonging to one civilization to trade with those of another civilization profoundly different. We have been regarded as the principal upholders of this system in recent years, when it was becoming obvious that the system itself was growing antiquated, and alien influences did not hesitate to preach to the Chinese that we were more responsible than their own dissensions or any other nation for all the ills from which the Chinese suffer. This anti-British cry has been taken up by the powerful Nationalist Party and is undoubtedly the most dangerous factor in our relations with China at present. It remains to be seen whether a Government which claims to represent the Chinese Nationalist Party is willing and able to control the mob-element insofar as its activities affect our relations with the Chinese people."

Praises Restraint

Sir Austen recalled that 1925 had provided anti-British propagandists with the kind of material they required: for example, the Shanghai police over which British had no control, had been forced to fire in consequence of mob violence. The incident had been represented as an act of British aggression. Similarly in the Anglo-French Concession at Canton troops had fired in selfdefence and only part of the force had been British. The speaker continued that the very friendly attitude of British towards China revealed at Washington and elsewhere had been brushed aside. He referred to the boycott, which, he said, had continued in Canton long after it had ceased in the North, while anti-British agitation had spread to Central China when the Cantonese had extended their authority there and had culminated at Hankow following an inflammatory speech by M. Borodin "their chief Russian adviser," and others. Sir Austen here paid a tribute to the restraint of the British marines in the face of provocation. He declared that there was not the slightest doubt that mob violence had been designed to provoke the British to fire on unarmded Chinese and lead to an incident, arouse all China and feed the flames of the anti-British feeling.

The Foreign Secretary declared that even a respectable body like the professors of the Peking University had lent their names to the calumny that marines had killed Chinese during that riot: "that is untrue; the Nationalist Government itself knows it is untrue." The seizure of the British Concession was an outrageous and unjustifiable attack on long-established rights of the peaceful British community. It was clear that there was no guarantee of the safety of British lives in Chinese cities under the authority of the Nationalist Government in the present revolutionary state of affairs."

Lesson at Hankow

The speaker hoped and believed that the threat of bloodshed and massacre did not hang on Shanghai but it would be a dereliction of duty after what had happened at Hankow to leave Shanghai not effectively protected. "We must have a force sufficient to protect them if danger arises and if such a force is sent at all it must be equal to all the calls that might be made upon it. The composition of the force itself is a guarantee that it is only intended strictly for defensive purposes." He hoped that no occasion for its use would arise. "We have no intention to hold Shanghai if we can obtain satisfactory assurances that the incidents of Hankow will not be repeated there. Therefore the military movement which fill the papers and provide pictures for the picture page are a pure precaution. The Government will not be deflected from its policy of patient conciliation nor will its efforts to reach satisfactory agreements with the Chinese authorities slacken or cease."

Economic Equality

The Foreign Secretary heartily welcomed and reciprocated Mr. Eugene Chen's desire for a settlement of treaty and cognate questions on the basis of economic equality and mutual respect for each other's political and territorial sovereignty. He considerately refrained from controverting Mr. Chen's account of what was past history and reiterated that "China for the Chinese" was a reasonable cry: "we have nothing to say against that but 'Kill the British' and 'Drive

(*Continued on page 57*)

Judge Loo Hsing-yuan, President of the Shanghai Provisional Court, Who Has Been the Center of a Recent Controversy as a Result of His Dismissal Due, Supposedly, to Pressure Exerted by Local Military Elements of the Nationalist Government.

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Kellogg

(*Continued from page 56*)

With Whom To Negotiate

"The only question is with whom it shall negotiate. As I have said before, if China can agree upon the appointment of delegates representing the authorities or the people of the country, we are prepared to negotiate such a treaty. However, existing treaties, which were ratified by the Senate of the United States, cannot be abrogated by the President, but must be superseded by new treaties negotiated with somebody representing China and subsequently ratified by the Senate of the United States.

"The Government of the United States has watched with sympathetic interest the nationalistic awakening of China and welcomes every advance made by the Chinese people toward reorganizing their system of Government.

Right To Protection

"During the difficult years since the establishment of the new regime in 1912, the Government of the United States has endeavored in every way to maintain an attitude of the most careful and strict neutrality as among the several factions that have disputed with one another for control in China. The Government of the United States expects, however, that the people of China and their leaders will recognize the right of American citizens in China to protection of life and property during the period of conflict for which they are not responsible. In the event that the Chinese authorities are unable to afford such protection it is of course, the fundamental duty of the United States Government to protect the lives and property of its citizens. It it with the possible necessity for this in view that American naval forces are now in Chinese waters.

"This Government wishes to deal with China in a moss liberal spirit. It holds no Concessions in China and has never manifested any imperialistic attitute toward that country. It desires, however that its citizens be given equal opportunity with the citizens of the other Powers to reside in China and to pursue their legitimate occupations without special privileges, monopolies, or spheres of special interest or influence."

Chamberlain

(*Continued from page 56*)

out the British' are the ravings of hatred. It is not thus you can deal with the British Empire. We are ready to assist Mr. Chen or any other Chinese authorities who on their side are equally ready to show a disposition to deal in a statesmanlike and conciliatory way with the serious difficulties arising from this revolutionary period of development and change. We have none but the most friendly feelings towards all Chinese who are prepared to meet us in a similar spirit."

Sir Austen hoped that the Chinese would discuss the proposals and exchange views in accordance with methods customary to civilized nations. "I earnestly trust that no further incidents will mar the prospect of a peaceful settlement. We are bound to protect our nationals and have taken measures necessary to discharge the primary duty of every nation, but hope that our present liberal policy will place our relations on a permanent basis of mutual respect and friendship."

The Operations of Imperialistic Russia In China

*By Count Carlo Sforza**

MOSCOW is at *work* in China as if it possessed two faces and two souls, and this is indeed the truth. One is the soul of the Third International, which now directs its intrigues from the Kremlin only because it found it impossible to direct them from Berlin, as Moscow had wished and hoped immediately after the Great War. The other soul, the other tendency, still chings to the traditions, the mirages and ambitions of prewar Russian diplomacy which, probably unconsciously, had as one of its cardinal rules to seek a success in the Pacific when failure threatened in the West.

Taking into account the fact that no historical analogy or parallel is ever quite exact, I nevertheless venture to say that this dual Russian personality as I have recently observed it at work in Manchuria and Mongolia puts me in mind of that precious gift bestowed upon the British people—the possession of writers and clergymen able in perfect good faith to advance the highest moral reasons for the most concrete diplomatic action, with inevitable material profit to England. This dual personality explains in part—quite aside from any underhanded reasons of money or fear—the support and solidarity which the Soviet regime sometimes finds among the younger members of families and classes which have suffered severely from the Bolshevik revolution.

Aside from the actual imperialistic penetration of Russia, which as we shall see is particularly to be observed in Manchuria and Mongolia, I think it would be possible to show that in one instance in China the two Russian souls, the two tendencies, merge to work for one goal. This goal is the struggle against England.

Of course, it is possible that the Russia of the Third International actually did hope to establish communism in China; this is within the realm of possibility, although to anyone who knows the Chinese world it would be almost sure proof of a surprising lack of political intelligence on the part of the successors of Messrs. Trotzki and Zinoviev. It is at any rate incontrovertible that the second Russian personality, which in spite of Bolshevism consciously or unconsciously still maintains the hatreds and traditions of the old Russia, hoped by the spread of these doctrines to deal a death blow to England, the twice hated, the twofold enemy; first, because she is the living symbol of European liberalism, the only hostile conception to Bolshevism existing on the old continent; second, because she is England, the mistress of India and the seas, the hidden but nevertheless real protectress of the small new Baltic states, Finland, Esthonia, Latvia.

Russians Misunderstand Chinese

What does seem amazing from a psychological point of view is that in spite of the great zeal of the agents of the Western Powers in China in their fight against Soviet action, no use has ever been made of such definite facts—facts particularly likely to appeal to the Chinese mind, which always reacts to anything visible and tangible. The anti-Bolshevist campaign of the Western Powers in China has been conducted throughout with the most complete misunderstanding of Chinese character.

I happened to be in Peking immediately after the police raid on the Russian Embassy made by Chang Tso-lin, the Manchurian Tuchun, with the secret encouragement of some foreign legations. I was able to examine many of the seized documents. Although I remain very doubtful as to the authenticity of the famous Red letter of British electoral memory, I am on the other hand absolutely convinced of the authenticity of the documents seized and published in Peking—as also that the Russian official denial was meant merely for home consumption.

These documents had all the earmarks of authenticity, both in letter and in spirit. They consist in a series of miserable espionage of diplomatic codes, of visitors to the foreign envoys, of corruption of petty officials, European and Chinese. They all bear the stifling mark of the old Tsarist police, only ten times more vulgar and silly. But all this—even the military instructions and the proof of the dispatch of munitions—did not and could not have the least influence on the Chinese. They looked and read; half of them smiled and the other half admired. They were but oriental tricks and lies against westerners, all these Russian activities. Why should the Chinese feel disgust or irritation?

When he ordered his police raid on the Legation Quarter, Chang Tso-lin did not for one moment expect to strike the Chinese imagination no matter how many Russian documents he might unearth. What the scheming Manchurian Tuchun did intend was to show Europe and the western governments how valuable an ally he might become in the struggle against Bolshevism. For it is a well-known fact that his much advertised anti-Bolshevik hatred is assumed in order to obtain or extort financial subsidies from certain foreign governments. When Chang Tso-lin talks to his circle of intimates, he complains ironically that certain Legations pay him well in compliments but in nothing more substantial. Indeed, the famous Mukden war lord no more dislikes or suspects the Russians than he does the Japanese, of whom, by the way, he is far less of a tool than is generally believed abroad. The plain truth is that the Japanese resent bitterly his constant if hidden opposition to all their plans in Manchuria; they complain, for instance, that he prevents the sale of any land to Japanese firms. But more than anything else Japan desires a pacific Manchuria for commercial development; and in spite of petty anti-Japanese intrigues Chang stands for peace and order in Manchuria. The Japanese Government knows quite well that, without Chang, the Tsitsihar Tupan would soon start to fight with the Kirin generals and the Kirin generals with the Mukden governor.

All this we have stated, as it were, in parenthesis and merely to prove that Chang Tso-lin's aims in raiding the Russian Embassy were different from those usually ascribed to him. After this, we must admit that the means employed to affect the Chinese should have been different. The effort should have been made to touch their *amour-propre*, always so sensitive. Emphasis should have been laid on the fact that the Russian "sacrifices" so cleverly advertised every day by Soviet agents are far from what they are cracked up to be. Instead of having sacrificed pre-war rights, the Russians merely accepted their loss, incurred like the German losses as a result of defeat in the World War; they knew that they could never hope to recover their lost extra-territorial rights in China. But it is an astounding fact that, in spite of, one might almost say under cover of, the campaign against "unequal treaties" Russia should be the only nation in the last four or five years to increase considerably its privileges and monopolies as a result of its action in Mongolia and Manchuria. While the treaty rights of all the other Powers were disappearing, Russia won for itself new spheres of influence, not unlike what might have been won prior to the Hay formula.

Russia's "Sacrifices"

Either the diguised annexation of Mongolia, or the sovereign rights exercised over the Chinese Eastern Railway, if cleverly exposed, should have been sufficient to open the eyes of the Chinese as to the extent of Russia's "sacrifices" and as to the truth of Soviet "disinterestedness" in China.

Let us consider these two definite points, Mongolia and Manchuria, where the work accomplished and still being done would not be better seen than in their dealing with the autonomy of Outer Mongolia. The Russo-Chinese agreement of 1915, negotiated in Peking by Mr. Krupenski, had succeeded in establishing "the exclusive right of the autonomous Government of Outer Mongolia to attend to all the affairs of its internal administration," but, on the other hand, had again recognized China's suzerainty and limited the number of the Russian "consular guards" in Urga to one hundred and fifty.

When an occasion came, Mr. Chicherin followed faithfully the policy laid down by his predecessor Sasonov. He created a dummy "Independent Mongolian Government," whose head was simply a certain Bodo, formerly clerk in the Imperial Consulate General in Urga, and had him ask Moscow to send troops to Urga to "defend Mongolian autonomy against China," although China was certainly, at the time, quite unable to assert any of her rights. Mr. Chicherin replied that he was glad to help the new Mongolian "Government." Russian troops went at once into Outer Mongolia.

Probably they would have come on any pretence. But the philosopher notes that the example was set by a previous act of violence from the opposite side. It was Baron Ungern at the head of bands of White Russians who invaded Mongolia and first drove out the Chinese from Urga in order to create there a military base against Bolshevik Siberia.

The Modern Wall Around China

Now, besides all the power they have got in Urga, the Russians have surrounded Outer Mongolia with a Chinese wall much more effective than the old one which, below the plains of Inner Mongolia, ends, after so many thousands of

*Count Sforza, the author of this article (which appeared originally in "Foreign Affairs", New York), several years ago served as Italian Minister in Peking and later as Ambassador to Paris, following which he served as Minister of Foreign Affairs in the Italian government.

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42-349

miles, in the Yellow Sea on the Shanhaikuan beach. This is why it is so difficult to know exactly what is going on in Outer Mongolia. The Chinese Government itself—or rather the vague shadow which remains of it at Wai Chiao Pu—likes to surround it with silence. This is a typical example of the Chinese soul. Peking prefers to ignore, when it can, the blows to its *amour-propre* which it is forced to endure.

Among the many and contradictory rumors which one hears I shall only state here those facts which I have been able to verify myself through repeated contacts with Mongolians whom I met during my recent stay in Mukden (May-June, 1927).

Soviet banks, established by the Russians who have become the real masters of the country, have forced the Mongolians to hand over their ingots of silver in exchange for Russian paper money.

A small Mongolian army has been created under the command of Russian officers.

Every possible obstacle is put in the way of commercial intercourse with China; all the country's resources are being artificially directed toward Siberia.

Bolshevized Buriats from Siberia are being transformed by sleight of hand into Mongolians; and it is they who play the part of representative Mongolians when there is the slightest demand for such services.

Rich young Mongolians are removed by force from their encampments and their flocks and are transplanted to Moscow, there to be fed on Soviet pap. Some of them return to Mongolia with women picked up on the streets of Moscow and with horrible diseases. From encampment to encampment this is spoken of as living proof that the Lamaic hell is situated at the end of the Transiberian Railroad, but it is said in whispers only; Soviet espionage is everywhere, and the ancient, simple Mongol loyalty has become a thing of the past.

The Panshan Lama, the Pontiff of Lamaic Buddhists, has only recently begun to express himself on Bolshevism, after having been reticent for a long period. While in Mukden (in the spring of 1927) he abandoned his former real or assumed indifference and declared that "Bolshevism is the enemy of Buddhism." He has recently moved from Mukden to Peking, where he lives in one of the pavilions of the Forbidden City. Hundreds of Mongols come to him daily to receive his instructions. However, these instructions, owing to racial and religious reasons, cannot envisage more than passive resistance, not active opposition.

Hardened diplomats may find explanations and excuses for these violations of Chinese sovereignty and of ancient Mongol autonomies, for the demoralization of a race and a country which only yesterday was a delightful example of the old patriarchal virtues. But only the weak government of a divided country could pretend to believe them.

There are, however, certain features—accessory perhaps—which it does not seem the Chinese can pretend to ignore, alive as they always are to matters of form. There exists an official Russian publication which can be bought in Moscow for a few kopeks. It is the "Diplomatic Annual of the U. S. S. R." for 1926. If one opens it at the letter M, one finds in the lists of sovereign foreign states with full diplomatic representation right after Mexico this other new nation: *Mongolia*. There follows the name of the "Ambassador" of the U. S. S. R. (the Soviets have adopted a single title, Ambassador, in their internal administrative organization for the heads of all their diplomatic missions; it is only abroad that these heads assume one of the old titles, Minister or Ambassador). After the name of the Ambassador to Mongolia come the names of his numerous secretaries and attaches.

Keeping Secret About Mongolia

Masters as they are in the art of propaganda, the Bolshevik agents in China, assisted by the cowardice and vanity of the Peking Government, have been successful in enforcing a complete silence as to their actions in Mongolia. The verbal campaign of the Chinese against "unequal treaties," which dates in great part from the arrival in Peking of Mr. Karakan as Ambassador of the Soviets, was very useful in this respect, and the Russians at once saw the dual advantage to be gained by it.

It was also under shadow of this campaign that Russia was able quietly to increase her influence in northern Manchuria by means of that powerful arm, the Chinese Eastern Railway.

Anyone interested in the Far East probably knows the present condition of this railroad. This is it, in a few words: The Chinese Eastern Railway crosses the northern part of Manchuria, linking Siberia to Vladivostok, now a Russian city, although up until 1860 it had belonged to China. Harbin, the great new city of the Far East, which has begun to rival Shanghai as a pleasure center, is in the middle of this line; it is the seat of the administration of the Chinese Eastern Railway with its hundreds of Russian officials, great and small. It is from Harbin that a line branches off to Dairen and Port Arthur. Only one-third of this branch line, from Harbin ot Changchun, at present belongs to the Chinese Eastern Railway; the other two-thirds passed to Japan after the Treaty of Portsmouth which in 1905 ended the Russo-Japanese War; it is run in a most efficient manner by the South Manchurian Railway.

It should be remembered that the old trans-Manchurian Railway never did belong to the Russian Government, but was the property of a company constituted according to Russian law but receiving its seal from the Chinese Government, which means that it was a Chinese concern. The President of the Company had to be appointed by the Chinese Government and ownership of the shares was restricted to Chinese and Russian tubjects, governments and official bodies being excluded. As shere was not sufficient capital to build the railway, the money was borrowed from the Russian Government and stock was given them as security. The Russian Government was not the owner but simply a creditor, a distinction which has been frequently overlooked.

Michael Borodin, Who as Adviser to the Chinese Nationalist Government, Became One of the Most Talked About Men in the World. Borodin Was Born in Russia, But Went to America at an Early Age and Probably Became an American Citizen. He Attended Valparaiso University where He Met Mrs. Borodin, a Native of Chicago. After Leaving Valparaiso University Mr. and Mrs. Borodin Founded a School in Chicago Where They Taught English to Foreign Students in America. This Picture Was Taken While Mr. Borodin Was a Resident of Chicago.

In 1924 the Chinese Government recognized Soviet Russia The two Governments agreed that they ought to take over the Chinese Eastern Railway, without compensation of any kind to the Company. Among the dispossessed creditors as it happens are several capitalists of Western Europe and the United States. So far as I know, no representations on this subject have ever been made to Moscow.

Another Unequal Treaty

It remains to this day a complete mystery what reasons—if indeed there be any honorable ones—prompted the Chinese

Government to accept this arrangement. For these are the real results, which make it neither more nor less than one of the "unequal treaties" against which the Chinese were already campaigning:

1. The Russian Government acquired the right to operate outright a railway on Chinese territory without any form of reciprocity for the Chinese Government, and in spite of the fact that no analogous case exists elsewhere in China.

2. The Russian Government consequently acquired a privilege not enjoyed by any other foreign Government in China, which is contrary to the principles laid down by the Washington Conference.

3. This privilege virtually makes a Russian zone of influence from Manchuly (Russo-Chinese frontier) to Changchun.

4. This zone of influence is detrimental to other foreign interests, as American oil companies are prepared to testify, and as preferential tariffs in favor of Russian oil companies prove.

5. According to this new accord, all officials and workmen on the Chinese Eastern Railway must be Russians or Chinese which is in violation of the principle of equal opportunities.

6. All these officials and workmen are obliged to belong to Syndical Unions under strict control of the Soviet Executive Center of the Syndical Union in Moscow. This means that thousands of people on Chinese territory, and often Chinese subjects, have blindly to obey the orders of a foreign government, and ironically enough it is the very government which most publicly renounced its extra-territorial rights (as a matter of fact, let us state it again, it had lost them against its will during the war). This state of affairs enables one to state that as far as extraterritoriality is concerned, the Russians today are better off than the Germans because every Russian in China today is an official of some kind, except in Manchuria; and there they are under the "protection" of Russian institutions even more surely than in the old days of privileges and consular tribunals. It is true that White Russians exist by the thousands in Shanghai, where they are reduced to the lowest forms of labor; but they no longer look upon themselves as Russians, and it is only to be expected that Moscow should completely disinterest itself from their fate.

7. Last but not least, the control of the vast revenues of the Chinese Eastern Railway remains exclusively in Russian hands. Not a cent of the approximately twelve-million-dollar average yearly profit of the railway is administered or even seen by the Chinese, which, of course, gives the Russians strong administrative and political advantages.

Personally, I have never believed the tales of huge sums of money flowing from Moscow to Peking or Canton for Bolshevik propaganda. But I am quite ready to believe that, controlled as it is by the Russian Government, and by a board whose able director, Mr. Laschevitch, is a sincere Red, a certain proportion of the revenues of the Chinese Eastern Railway may have been diverted to Bolshevik propaganda in China.

The silence which the anti-Soviet forces of Europe in China has thrown about these events is easy to explain; it is due to the persistent mediocrity of our measures against Russian activity, a mediocrity due to psychological reasons upon which it is better not to insist at this time. But for the rare Chinese who know and keep silence—as do in China all those who wish to have nothing to do with Tuchun regime of violence—the reasons are quite different. They say among themselves (and this is not an hypothesis but something which I myself have heard said) that the Western Powers attack Russia for everything except for those acts and intrigues which they themselves would like to be able to imitate. For nowadays the best and wisest men in China share with the people one old feeling which is becoming universal—hatred of all foreigners.

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Shanghai and Its New Provisional Court

By Manley O. Hudson,

Bemis Professor of International Law, Harvard Law School

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The troubled history of exterritoriality in China, at any rate in that part of China which is known as the International Settlement at Shanghai, seems to have entered upon a new phase at the beginning of 1927 with the rendition of the International Mixed Court at Shanghai and the creation of the Shanghai Provisional Court to replace it. These events mark the culmination, for the time being, of a long series of negotiations which have been attended by such tragic incidents that they have aroused much more than local interest. If the complete history of the negotiations could be traced, it would probably reveal many of the causes underlying the difficulties of foreign communities in China. The latest developments represent an effort to deal with a long-standing grievance of the Chinese people, and they may prove a beginning of significant modifications yet to be effected in the regime of exterritoriality.

The International Settlement at Shanghai

From a juristic point of view, there is hardly a more curious community in the world than Shanghai. The situation at Tangier may be as complicated, but the interests affected are of lesser magnitude. Some of the same problems have arisen at Alexandria, but without involving so many foreign governments. In the size of its population and the extent of its foreign trade, Shanghai would easily outrank some of the independent countries of the Western world. If all parts of the Shanghai area—Nantao, the City, the French Concession, the International Settlement, Chapei, part of Paoshan, Pootung and Woosung—be taken together, it has a population approaching two millions, of whom less than 50,000 are foreigners. In 1926, it was estimated that the International Settlement sheltered about 850,000 people, 30,000 of them being foreigners, though 7,500 of the foreigners were living on municipal roads outside the actual limits of the Settlement. In 1925, the bordering French Concession had a population of almost 300,000, including less than 8,000 foreigners, and less than 1,000 French nationals. A few foreigners live, also, in the surrounding districts. In the past few years, about 10,000 refugees have come into the Shanghai area from Russia, and of its total number of foreigners, fully 14,000 are Japanese. Of the whole population of the community, the foreigners are not three per cent; and of the population in those parts which are under foreign control they are not four per cent. But the foreign trade of Shanghai gives it an international importance which these figures do not reveal. On a basis of tonnage, it ranks among the seven largest ports in the world.

It is only since 1843 that Shanghai has achieved its importance as a commercial center. That was the date of its formal opening to foreign traders. In the beginning, they constituted a distinct part of the community, living in defined areas. But that condition has long since ceased to exist, and today the foreign and Chinese communities are so commingled in business relations and in the residence districts that any separation of them seems impossible. Their interests have therefore become common, but the districts under foreign and Chinese control remain quite distinct. It is a situation in which clashes between the two groups would inevitably occur, even if neither entertained suspicion of the other, nor sought in any way to extend its power. But with the disturbed conditions prevailing in other parts of China during the past decade, and with the Chinese hostility to what is regarded as foreign encroachment, the clashes have become so frequent that Shanghai now stands out as a storm center in China, and municipal questions which might otherwise have commanded but local interest now challenge the attention of Foreign Offices in remote parts of the world. For this reason, if not also as an experiment in the international administration of justice, the rendition of the Mixed Court would deserve more than passing notice.

The Foreign Settlement at Shanghai north of the Yang-King-Pang, which has come to be known as the International Settlement, has grown from the fusion in 1863 of an English Settlement established in 1843 and a so-called American Settlement which grew up several years later. The boundaries of the latter were not delimited until June, 1863, and the amalgamation was effected in October of the same year. The Land Regulations which serve the Settlement as a kind of municipal charter, were promulgated in 1869, and have undergone some changes as the boundaries of the Settlement have been extended. The Land Regulations now in force were agreed upon in 1898 by the ministers of the Powers possessing exterritoriality at Peking, and were proclaimed to be in force in "the entire areas of the International Settlement" by the Taotai, a local Chinese official, in 1899. The instrument is often referred to as a treaty, but its legal basis is less formal, and neither by the Chinese nor by the foreign Powers is it regarded as such. Any amendments or additions to the Land Regulations must "be consulted upon and settled by the foreign consuls and local Chinese authorities, subject to confirmation by the foreign representatives and supreme Chinese Government at Peking"; but this requirement can hardly apply to a negotiation of a general agreement as to the Settlement by the Powers concerned. To the regulations, by-laws are attached which may not be modified in any important way without the approval of a majority of "the Consuls and Ministers of foreign Powers having treaties.

The Land Regulations provide for the International Settlement to have an "executive committee or council," which has come to be known as the Shanghai Municipal Council. Its nine members are elected by the foreign rate-payers who possess certain property qualifications. The present membership includes five British, two American and two Japanese nationals, but in the past there have been German and Russian members. The Chinese rate-payers do not participate in the election of the members of the Council, and no Chinese have ever been elected. The Council has wide powers as to levying rates, appointing personnel, administering public funds, constructing and maintaining roads and drains, enacting building regulations, maintaining a "watch or police force," and performing other municipal functions. It is responsible only to the rate-payers for its discharge of these functions, for although it may be said to be under the local Consular Body in some senses, it reports only to the rate-payers and the Consuls exercise no direct control over its actions. It is the Consuls who fix the dates for electing members of the Council and for holding the meetings of the rate-payers, and who perform certain offices with reference to the transfer of land. They also appoint certain of their number to sit as a "Court of Foreign Consuls," which may give judgment against the Council or restrain its action. But they have no power to interfere in the local administration, and short of resorting to an amendment of the Land Regulations, which is difficult to achieve in fact, they cannot reverse action taken by the Council within the powers conferred by the Land Regulations. This large independence of the Council has led to the frequent use of such misleading expressions as the "nascent republic of Shanghai."

Administration of Justice

The problem of administering justice in such a community presents peculiar difficulties, which the multiplicity of courts does not simplify. For actions against the Municipal Council itself, resort must be had to the "Court of Foreign Consuls" provided for in the Land Regulations (Article 27), to be "established at the beginning of each year by the whole body of Treaty Consuls." The establishment of this court was sanctioned "provisionally" in 1869 by the diplomatic representatives at Peking of the United States, Great Britain, France, Germany and Russia, "as an experiment subject to future modification if found expedient." The fact of its continuance to the present time is probably due less to the success of the experiment than to the difficulty of changing the *status quo*. In recent years, at any rate, it has heard few cases; but two cases were heard in the three years, 1922, 1923, and 1924. Many of the cases have related to claims on the Municipal Council's superannuation fund. Few of them relate to claims for damages. No regular system of publishing its judgments has been adopted, and it is very doubtful whether serious attempt is made to apply any definite system of law. The rules of procedure adopted in 1882 are very meager. On the whole, the "Court of Foreign Consuls" would seem to be more in the nature of an administrative tribunal than of an ordinary court, and its usefulness as such has never been greatly developed.

The nationals of the various Powers which enjoy exterritoriality may be sued or prosecuted only in the courts of their respective countries. Fifteen Powers now exercise jurisdiction over their nationals in Shanghai, most of them having consular courts for the purpose. In 1865, a special Supreme Court was established by the British Government; in 1906, the United States Court for China was established; and a similar t bunal is now maintained in Shanghai by Japan. French n ionals are subject to the French court which sits in the French Concession. The volume of business before these foreign courts is indicated by the fact that in 1926, 843 foreigners are

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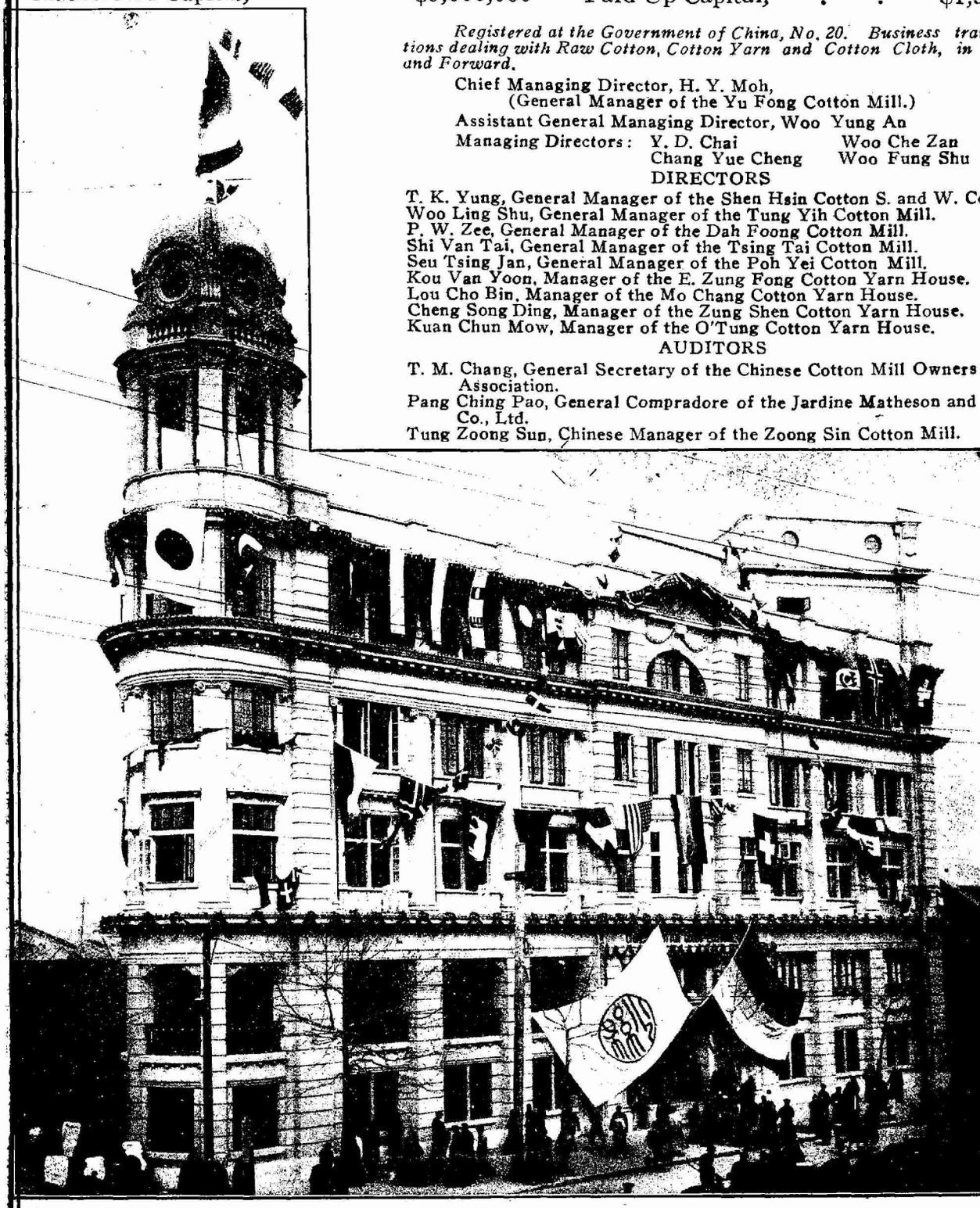

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reported to have been summoned or apprehended and charged before such tribunals.

The nationals of the Powers which do not enjoy exterritoriality, which now include Germany and the Union of Socialist Soviet Republics, are on the same footing as nationals of China with respect to the jurisdiction of Chinese courts. For neither class of persons did the Land Regulations create any special tribunal. But in the application and amplification of treaty provisions which originally covered mixed cases, such a tribunal has been developed. It was the treaty made by China with the United States in 1844, which first envisaged the joint action of Chinese and foreign officials in controversies "between citizens of the United States and subjects of China" (Article 24). Later treaties contained fuller provisions for foreign participation in mixed cases, but they did not go to the extent of authorizing foreign participation in the adjudication of purely Chinese cases. The growth of the foreign community at Shanghai and the firm establishment of the International Settlement led the foreigners to desire more ample powers of police jurisdiction, and this desire has come into a certain measure of fulfilment.

The Mixed Court Before 1911

Soon after the enlargement of the English Settlement be the inclusion of the so-called American Settlement in 1863, the first steps were taken toward the establishment of a Mixnd Court. A police force was already functioning, but whey Chinese were accused of crime they had to be handed over to the local Chinese officials outside the Settlement for trial. The cases soon became very numerous in which foreigners were interested as prosecutors or as plaintiffs, and the resort to Chinese courts outside the Settlement became inconvenient. In 1863, the Consular Body at Shanghai proposed that the Municipal Council itself be given jurisdiction over foreigners over whom no local consul had jurisdiction, and it was later proposed that a municipal police court should be establshed. On May 2, 1864, a mixed court was set up in the British Consulate, composed of a Chinese official of inferior rank and a British assessor. Later an American assessor sat, and in more recent times assessors of other nationalities sat. The jurisdiction was not clearly defined; the court acted at first as a police court, dealing with prosecutions against Chinese for minor offenses. Soon, however, it began to deal with mixed civil cases, in which foreigners enjoying exterritoriality were plaintiffs and Chinese were defendants. In 1867, an effort was begun to place this court on a firmer legal foundation; it was removed from the British Consulate in 1868; and in 1869 agreement was reached for the formal establishment of the Mixed Court.

The regulations agreed upon by the local Chinese official, the Taotai, and the diplomatic representatives of the United States, Great Britain, France, Russia and Germany, were published at Shanghai on April 23, 1869, by the British Consul. They were declared to be in force for one year, but were destined to have a longer history. The ten rules constituted merely a skeleton for the organization of the Mixed Court and an outline of its jurisdiction. The Chinese agreed to designate a sub-prefect to reside in the Settlement, to "decide all civil and commercial suits between Chinese residents within the Settlement and also between Chinese and foreign residents in cases where Chinese are defendants, by Chinese law." In mixed cases, a consul or his deputy was to sit with the sub-prefect. In graver criminal cases, the jurisdiction of the regular Chinese district court was not superseded. The sub-prefect had jurisdiction over unrepresented foreigners, but his finding had to be "submitted for the Taotai's approval, who will consult with some treaty-Power consul on the subject." The powers of deputies or assessors named by the consul were only vaguely defined, and it was long a subject of dispute whether they were to act as watchers or as co-judges.

The Mixed Court thus established functioned in the International Settlement from 1869 to 1911. Many were the contests about its powers and practices. In 1885, a conflict between the prefect and a consular assessor led to the closing of the court for a short time. The methods of punishment ordered by the court aroused public interest from time to time. The power of the Chinese authorities to effect arrests within the Settlement gave rise to prolonged controversy; in 1902 the rate-payers urged the Municipal Council to prevent the removal of Chinese arrested within the Settlement without a preliminary inquiry at the Mixed Court. The assumption of powers by the Mixed Court magistrate, as a representative of the Chinese residents of the Settlement, and particularly his exercise of the power to issue proclamations, was often disputed. Many attempts were made, but unsuccessfully, to modify the rules of 1869, which had been adopted only provisionally. In 1898 a thoroughgoing reorganization of the court was proposed by the Municipal Council and the local bar. In 1906 propsals were made by the Consular Body at Shanghai, but they failed of adoption. In 1909 the court was said to be

an "authority which affords little of the certitude of a foreign court of justice and little of the latitude of a native yamen," having "the disabilities of both and the advantage of neither." It may be doubted whether the Mixed Court was at any time during this period a satisfactory tribunal. Its constitution of 1869 soon became out of date, and its procedure was largely dependent upon the changing results of a continual struggle between the magistrates and the foreigners.

The Mixed Court After 1911

A new chapter in the history of the Mixed Court began in 1911. In the early part of that year, the Chinese authorities sought to abolish it and to create in its place a branch of the Provincial Supreme Court, but their proposals were rebuffed by the Consular Body. Later in the year, the situation was completely changed by the revolution in China. In November, 1911, two of the magistrates fled from Shanghai and it is commonly said that they failed to leave the court's funds behind them. Shanghai was for a time independent of the Manchu authority, and for a short period the Mixed Court was closed altogether. On November 10, 1911, the Consular Body took the situation in hand and issued a proclamation stating that the consuls of the Treaty Powers had by virtue of their position and authority and as a measure of expediency confirmed three Chinese magistrates "to act under the guidance of and in concert with the assessors of the said consuls as heretofore." Soon thereafter the Municipal Council undertook to administer the financial affairs of the court on behalf of the Consular Body, and the prisons were put into the charge of the municipal police. On January 5, 1912, the Consular Body notified the Council that "as a temporary measure, the hearing of Chinese civil cases in the Mixed Court will henceforth be watched by foreign assessors," and three assessors were named for that purpose. On January 3, 1912, the Consular Body had adopted a rule that "foreign assessors shall sit and watch the case, and shall not interfere." Thereafter, also the court dealt finally with all criminal cases, including those of a graver nature, without confining itself to a preliminary inquiry with a view to later trial in the Chinese District Court.

The effect of these changes was to place the Mixed Court under the control of the Consular Body and to make it independent of the general system of Chinese courts. The Chinese magistrates were thereafter appointed by the Consular Body, their number being increased first to five, and in 1923 to seven; and their salaries were paid by the Consular Body from a so-called "Taotai's Fund," which in later years came from the Municipal Council. The magistrates thus came in time to be looked upon as servants of the foreigners, and their prestige among the Chinese suffered accordingly. Inevitably also, they lost their ability to control the proceedings. Even in purely Chinese cases, the assessors were on hand to "watch" the proceeding; and in mixed cases the assessors soon came to play the dominant role. The judgment was still, nominally, the judgment of the magistrate; but it was frequently written by the assessor and sometimes published as the judgment of the assessor. Progressively, the Mixed Court came more completely under foreign control and remained a Chinese court in name only.

The procedure in the Mixed Court continued to be regulated by the inadequate rules of 1869, though some additional rules were drawn up in 1902. Various practices had grown up which were not formulated in the rules, and these were gradually adapted to the new conditions. In 1912 certain rules of procedure for the court were drawn up by the Consular body, but they were incomplete and soon became in turn inadequate. In 1914 an effort was made to codify the Court's practise in a more elaborate set of rules of procedure; but the restatement was not formally approved by the Consular Body, and though it was followed in practise as a compilation of rules which had become informally established and cited before the court as such, it was never a binding *reglement*. Various changes were made in these rules from time to time. They were republished with some changes in June, 1919, in English and Chinese; and were again republished in pamphlet form in English in 1925. In 1922 an important change was made in the procedure with regard to security in foreign and Chinese civil cases.

The court continued to apply Chinese law and it is interesting to note that in 1924 it decided that it would not be bound by precedent. It entertained all sorts of cases, assuming jurisdiction even to grant divorces. A divorce from his Russian wife was granted to an American citizen in 1926, and two Russians were divorced in the same year. The volume of business became very large. In 1925 the court held 2,082 sessions, and dealt with 80,529 criminal cases, 2,831 Chinese civil cases and gave judgment in 192 foreign civil cases. In 1926 the court held 2,186 sessions, and dealt with 103,932 criminal cases, 2,848 Chinese civil cases 606 foreign civil cases, aud in addition 1,209 rent cases and 206 inquests. Its work and its difficulties were increassed after the War, by the

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abandonment of exterritoriality by Germany and the Union of Socialist Soviet Republics. Jurisdiction began to be taken over German nationals in 1917; in that year, also, an action was brought by the Municipal Council for the rent on the German post office. In 1924, the Consular Body agreed that German-speaking assessors would be named by the senior consul to sit in German cases, and in practice they were chosen from eligibles named by the consuls of formerly neutral countries.

One of the outstanding defects in the court during the period from 1911 to 1926, was that no appeal was allowed. Prior to 1911, it was possible to appeal to the Taotai and the consul of the nationality of a foreigner concerned. The office of the Taotai was partly filled after 1911 by a local Commissioner for Foreign Affairs. Various proposals were made for establishing a new court of appeal, and at one time the Chinese authorities seem to have assumed to establish such a tribunal, only to meet with vigorous protest from the Consular Body. Yet the practise persisted to give notice of appeal; it was expressly provided for by the rules published in 1914, but these sections were omitted when the rules were republished in 1918. Inadequate provision for the extradition of persons charged with crime was another defect. There were also frequent scandals with reference to false registration of persons in various consulates. In later years an awkward situation was created by the Chinese courts' refusal to give effect to judgments of the Mixed Court. The latter functioned without any mandate from the Chinese Government after 1911 and the Chinese authorities felt themselves in no way bound to recognize its power. The question was certain to arise before the Chinese Supreme Court, sooner or later, and when it did arise there that court declared in no uncertain terms against the validity of Mixed Court judgments. It was held that "a case which has been decided in the Mixed Court may be tried by a judicial court of competent jurisdiction elsewhere in China, and a plea of *res judicata* cannot be entertained." Later, in 1925, in reply to an inquiry from the Procuratorate-General, the Supreme Court at Peking is reported to have said that "the Mixed Court at Shanghai is not a legal judicial tribunal," and has "no power to arrest a Chinese defendant"; and although the therefore Commissioner for Foreign Affairs for Kiangsu had forwarded a warrant for arrest, the Supreme Court advised that no assistance should be extended by local Chinese authorities

Efforts to Replace the Mixed Court

Though the foreign-controlled International Mixed Court functioned from 1911 to 1927, it was not permitted to do so without repeated efforts by the Chinese to regain the control which they had lost. In 1914 and 1915 negotiations were conducted at Peking for its rendition to the Chinese, and at one period they seemed to be on the point of succeeding. A plan of rendition, consisting of five points, was formulated; but its adoption came to be conditioned upon the successful negotiation of other more or less unrelated questions. An effort was then being made to extend the boundaries of the International Settlement, and the Diplomatic Corps is said to have offered the rendition of the court in exchange for the expansion of the Settlement area." The negotiations doubtless became more difficult during the period of the War, and for a time no further progress was made.

At the Paris Peace Conference in 1919, where the Chinese representatives sought the complete restoration of the foreign concessions and settlements, they complained that in the Mixed Court at Shanghai the "foreign assessor not only watches the proceedings but virtually tries and decides the case." Pending final restoration, they asked that foreign assessors be excluded from participating in the "trial or decision of cases wherein Chinese citizens alone are concerned." But neither at Paris, nor at the later Washington Conference in 1922, was any relief given to China. The Commission on Extraterritoriality in China, provided for by the Washington Conference, merely recommended in its report of September 16, 1926, that the organization and procedure of the existing special mixed courts "should, as far as the special conditions in the settlements and concessions warrant, be brought more into accord with the organization and procedure of the modern Chinese judicial system."

Meanwhile the dissatisfaction with the Mixed Court had grown. The negotiations for its rendition had been resumed at Peking on October 26, 1922 when the Chinese Government proposed a modified plan of rendition, according to which "purely Chinese criminal cases as well as purely Chinese civil cases should all be tried by Chinese officials without the aid of a foreign assessor," and in which appeal in criminal cases was envisaged. The negotiations continued for almost four years before they reached a conclusion. In this interim popular feeling on the question ran very high among the Chinese. When an International Commission of Judges investigated the incident of May 30, 1925, Justice E. Finley Johnson placed first among the causes of many years standing which led to the disturbances on that date, "the status of the Mixed Court"; and he reached the conclusion that "those in authority should as speedily as possible bring to a close the negotiations relating to the status and character of the Mixed Court." The demands formulated by various Chinese bodies after the incident of May 30, 1925, also dealt with the question. On June 7, 1925, a group of students and labor unions demanded that "the Mixed Court shall be returned to China forthwith; in cases in which Chinese are the only parties concerned, only a Chinese magistrate shall sit and the assessors shall not be empowered to sit or watch the proceedings, and in cases where foreigners sue Chinese the assessors shall be permitted to sit, but they shall not be empowered to interfere in the judgments; Chinese criminals shall be indicted according to the Chinese criminal code or the municipal by-laws, but not by both; all the affairs of the court shall be administered entirely by Chinese, including the work of the registrar and the prosecuting solicitor, and all officials of the court must be appointed to their places only by the Chinese Government" About the same time, the Chinese Chamber of Commerce demanded the "rendition of the Mixed Court—complete restoration to the state consistent with the provisions of the treaties"; and "when any Chinese is prosecuted under the Criminal Code of the Republic of China or under the municipal by-laws, the prosecution shall be in the name of the Republic and not in that of the Shanghai Municipal Council." The Chinese Government was clearly acting on popular opinion when in its note of June 24, 1925, it demanded the "rendition of the Mixed Court" as one of the measures of relief sought following the affair of May 30, 1925.

But the negotiations at Peking failed, partly because of the difficulty of reaching agreement on foreign participation in the trial of Chinese criminal cases involving the peace and order of the Settlement. In May, 1926, new negotiations were begun at Shanghai, by a committee acting on behalf of the Consular Body and Dr. V. K. Ting, Director of the Shanghai-Woosung Commercial Port, and Mr. Hsu Yuan, Commissioner for Foreign Affairs, acting on behalf of the Kiangsu Provincial Government. The suggestion that a deputy of the senior consul should sit in certain cases affecting the peace and order of the International Settlement, enabled greater progress to be made than had been possible at Peking, and after eight conferences had been held, a "provisional agreement" for the rendition was signed on August 31, 1926. The Chinese text of the agreement was signed by the Consuls-General of the United States of America, Norway, Belgium, Great Britain, Sweden, Japan, Brazil, France, Italy, Portugal, Denmark, Switzerland and the Netherlands, and the consuls of Spain and Mexico. The agreement was later approved by the Diplomatic Corps and the Chinese authorities at Peking. It is therefore to be regarded as an arrangement for carrying out the treaty provisions concerning exterritoriality which has been approved by all the interested and so-called "treaty Powers." But it is not a multipartite treaty, and perhaps lacks the force which would attach to an agreement for which the regular treaty-making machinery of the signatory Powers had been employed.

The New Provisional Court

The provisional agreement of August 31, 1926, describes itself (Article 7) as an agreement "for the rendition of the Mixed Court to the Kiangsu Provincial Government." The Province of Kiangsu was then controlled by the government at Peking, and previous negotiations had envisaged a rendition to the Peking Government, since the administration of justice in China is organized as a national system. But it was the provincial and not the central government which agreed to set up "in place of the Mixed Court in the International Settlement at Shanghai," a new tribunal to be known as the Shanghai Provisional Court. Question may arise in the future as to the degree of continuity existing between the two tribunals. "Rendition" seems to be a term of special application. It seems to have been intended, when the agreement was drawn, that the old court should disappear altogether. The new Provisional Court was to deal with all civil and criminal cases in the Settlement except those "which in accordance with the treaties involve the right of consular jurisdiction." Before the actual rendition was made on January 1, 1927, an exchange of notes was effected which provided a bridge between the two regimes, and a Joint Legal Commission formulated certain understandings which supplemented and clarified the terms of the agreement itself.

The Provisional Court is now to exercise much the same jurisdiction as that previously exercised by the Mixed Court. Moreover, foreigners are to sit in the court in certain cases, either as deputies of the senior consul or as officials sent by a consul or by the senior consul. A deputy of the senior consul is to "sit with the judge to watch the proceedings," in criminal cases "which directly affect the peace and order of the Inter-

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national Settlement," and whenever the accused is in the employ of a foreigner who enjoys exterritorial rights. The Joint Legal Commission agreed upon certain offences which should fall within the category of cases affecting the peace and order of the Settlement, and included various offences which affect the interests of the Municipal Council in both its proprietary and its governmental capacities. The senior consul's deputy is forbidden to put questions to a prisoner or a witness without the judge's consent. and his concurrence is not necessary to the validity of the court's judgment, though he may record his objections. A consular official is "to sit jointly with the judges in accordance with the provisions of the treaties," in criminal cases in which a foreigner enjoying exterritoriality is complainant; it is not clearly stated whether in such cases a deputy of the senior consul is also to sit, if they fall within the description of his competence, though it may perhaps be inferred that this is not the case from the provision that the official is to be sent by "the Consul of the nationality concerned or the Senior Consul." In practise, the official and the deputy do not sit together in such cases. In criminal cases where the accused is a foreigner who does not, and the complainant is a foreigner who does, enjoy exterritoriality, the court itself is to ask a consular official belonging to a third nation to attend the trial in order to watch the proceedings.

In civil cases, the consular official is to "sit jointly with the judge in accordance with the provisions of the treaties," only when the plaintiff is the Shanghai Municipal Council or a foreigner who enjoys exterritoriality. In civil cases between Chinese, only the Chinese judges will sit in the future. In civil cases where a foreigner who does not enjoy exterritoriality sues a Chinese or is sued by a Chinese or by another such foreigner, the agreement and supplementary understandings make no provision for any foreign representation.

With these provisions for the participation of deputies of the senior consul and consular officers, it may be thought that the Provisional Court remains a mixed court, and that one mixed court has only been replaced by another. In some degree this is true. The Provisional Court is not on the same basis as an ordinary Chinese court; even in the latter consular officials of Treaty Powers may sit to watch the proceedings when their nationals are parties to the controversies under examination. Nor is it a revival of the Mixed Court as it existed before 1911. The Chinese have regained complete control over purely Chinese civil cases, and over certain Chinese criminal cases; and many changes in personnel and procedure serve to emphasize the return to a régime of Chinese administration. If the Provisional Court must still be called a mixed court, that does not indicate that the rendition has no meaning or effect.

Solution of Various Questions

Numerous questions were left open by the agreement some of which were not settled in the understandings which were contemporaneous with the rendition. Not the least difficult of them is the question as to the status of a consular official as distinguished from a senior consul's deputy. The latter is quite clearly limited to watching; he is not to question a witness or a prisoner without the consent of the judge, and he need not concur in the judgment. The former is in most cases to "sit jointly with the judge in accordance with the provisions of the treaties." The use of different expressions at once suggests a difference in function. But what is the extent of the difference? Does one who "sits jointly" become a co-judge? If so, is his concurrence necessary? The "provisions of the treaties" do not give a definite answer. The Sino-French Treaty of 1858 is perhaps the clearest in providing (Article 35) that failing the amicable settlement of a claim by a Frenchman against a Chinese, the consul will seek the assistance of the competent Chinese official and after a joint examination of the dispute the two will settle it according to equity. Perhaps this is not applicable, however; it was not agreed upon with reference to this specific tribunal, and the most-favored-nation clause in other treaties ought not to embrace a matter for which those other treaties make specific provision of a different sort. The expression in the provisional agreement seems to be one of those which can only be defined as meaning is lived into them. In practise, the consular official is supplied with a case-sheet in mixed criminal and civil cases, which in addition to giving the number of the case and the names of the parties, contains space for a "translation of order or judgment."

The understandings reached at the time of rendition cover a variety of questions which were not settled by the original agreement. The validity of the previous final judgments of the Mixed Court, which had been denied by the Supreme Court at Peking, was confirmed, and such judgments and the judgments of the newly created Provisional Court, were given the same validity as judgments of the regular, provincial courts of China. The territorial jurisdiction of the Priovionsal Court was somewhat enlarged by extending it to mixed criminal cases arising on foreign vessels within the harbor limits, or on foreign property outside the limits of the Settlement but within the districts of Shanghai and Paoshan. The provisional agreement of June 28, 1902, defining the respective jurisdictions of the mixed courts of the International Settlement and the French Concession, was continued in force for defining the respective jurisdictions of the Provisional Court and the mixed court of the French Concession. The Kiangsu Provincial Government agreed, in a note of November 27, 1926, that ten foreigners should be employed by the Provisional Court "in order to secure continuity" with the old regime; and it accepted a later proposal of the Consular Body that these persons should be detached by the Municipal Council, and paid the salaries and house-rent to which they were entitled in the municipal service. As the salaries paid by the Municipal Council are very liberal, this has resulted in a situation where some of these foreign employees receive a larger salary than the judges of the Provisional Court. The expense of the new court is borne by the Provincial Government, which has segregated for this purpose the land tax revenue from all foreign title deeds in Shanghai.

One of the questions upon which stress was laid in the negotiations related to the appearance of foreign lawyers in the Provisional Court. Lawyers have not long enjoyed many privileges in the Chinese courts, and while the Mixed Court was under Chinese control Chinese lawyers were not admitted to practise in it. Foreign lawyers were less restricted, though only in 1914 was a court roll instituted. In recent years, the Mixed Court bar had become very numerous, and it seemed necessary to safeguard the continuance of its members' practice in the Provisional Court. The understanding therefore secured to foreign lawyers the privilege of appearing for either party in the Provisional Court in all cases in which a consular officer sits with the Chinese judge, in all cases in which the Shanghai Municipal Council acts as prosecutor, and in civil actions brought by foreigners having exterritorial rights against foreigners who do not enjoy such rights. As to undisposed-of cases on the hearing list of the Mixed Court at the date of rendition, foreign lawyers whose names appeared on the record are to be permitted to continue in these cases in the Provisional Court during a limited time.

Law and Procedure in the Provisional Court

The Provisional Court is directed to apply "all laws including laws of procedure, and ordinances applicable at the present time in other Chinese courts, as well as those that may be duly enacted and promulgated in the future." The new codes which have been promulgated in recent years are therefore applicable. These include the Provisional Criminal Code promulgated in 1912, and supplemented in 1914 by the Provisional Criminal Code Amendment Act; the Criminal Procedure Regulations, promulgated in 1922; the Civil Procedure Regulations, also promulgated in 1922; the very important Rules (of private international law) for Application of Foreign Laws, promulgated in 1921; and various special commercial laws, promulgated during the past few years. It is important in this connection that the Supreme Court at Peking has declared that "civil cases are decided first according to express provisions of law; in the absence of express provisions, then according to custom; and in the absence of custom, then according to legal principles." This declaration enables Chinese courts, and therefore the Provisional Court, to treat as sources of legal principles some of the formulations of the Law Codification Commission which have not been officially promulgated.

Some question may arise in the future concerning the enforcement of the Land Regulations and By-Laws of the International Settlement in the Provisional Court. These can hardly be said to be applicable in other Chinese courts, and yet the provisional agreement seems to envisage their application in the Provisional Court by providing (Article 1, section 3) that a senior consul's deputy may sit in certain criminal cases "including contraventions of the Land Regulations and By-Laws of the International Settlement." The Land Regulations of 1869, which as amended in 1898 are now in force, were not adopted in accordance with the procedure of amendment prescribed in the previous Land Regulations of 1854, and they were not at the time approved by the Chinese authorities. In 1898 the Viceroy disinterested himself in them, saying through the Taotai that they were "a matter that should be satisfactorily arranged between the Municipal Council and the Consular Body." In 1899, however, the Taotai proclaimed them to be in force in the extended International Settlement. In support of their enforcement in the Provisional Court, it may therefore be argued that in addition to the long acquiescence by higher Chinese officials, the Land Regulations had the approval of the local Taotai

The provisional agreement (Article 1, section 2) requires the Provisional Court to take due account of "such established rules of procedure of the Mixed Court as shall be hereafter

agreed upon," and the Joint Legal Commission was entrusted with the task of reaching such agreement. The understanding does not expressly establish the rules which had been reprinted in 1925 and had never received the formal assent of the Consular Body; but it refers to the rules "embodied in a printed booklet published by the court" with certain unincorporated amendments, as governing the essentials of the "present procedure," and it was agreed that only such alterations should be made in them as were necessitated by the rendition agreement. Any general revision is "left to a later date when it will have become clearer in what direction adjustment is necessary." Some amendments and additions were made, however, relating chiefly to the publicity of all trials, and to the procedure to be followed in cases appealed to the newly created court of appeals.

The Record of the Provisional Court

On January 4, 1927, the Consular Body was notified that thirteen judges of the new court had been named by the Kangsu Provincial Government, and since that date five additional judges have been appointed. The present personnel (May 1, 1927) would seem to be satisfactory, both from the Chinese and the foreign points of view. The first President, or Director as he is sometimes called, received part of his legal training in America and has had a long and varied judicial experience in China. Of the six judges who sit in the Court of Appeal, one was trained in America, one in England and one in Japan; five have had long judicial experience and the sixth was formerly a leader at the Shanghai bar. Of the five judges of first instance, four were trained in America or Japan, and three have had previous judicial experience. Of the six assistant or expectant judges, five have had previous judicial experience and the sixth had an American training. Of a total of eighteen members of the Provisional Court, therefore, fourteen have had previous judicial experience; and nine were educated in foreign countries. Perhaps the beginning thus made is better than can long be maintained.

Since the first meeting of the Provisional Court on January 4, 1927, it has encountered numerous difficulties. Political conditions in China have been such that even a long established tribunal could not have escaped feeling the effect of them. The new court has had to establish itself during a period in which the Kiangsu Provincial Government has passed through a successful revolution, and in which an abnormal situation has prevailed inside the International Settlement owing to the threats to its security and the presence of large numbers of foreign troops. A more inauspicious time for a judicial experiment could hardly be imagined; and it is to the credit of the court that its work has proceeded uninterruptedly, with relatively short delays in hearing cases.

In addition to its other difficulties, some questions have arisen upon which different views have been held by the officials of the court and those representing the Consular Body. The fact that they had to be handled by persons other than those who negotiated the provisional agreement, has not facilitated their solution, and temporary deadlocks have added to the inevitable delays in the court's functioning. One of the first questions to arise related to the seating of the consular officials and senior consul's deputies with reference to the seats occupied by the judges on the bench. The Chinese officials desired to emphasize the change in the court's status to the large court-room public and to indicate the subordination of the officials and deputies, by inferior placing; but the insistent opposition of the Consular Body prevailed. A question arose also as to the papers to be placed before a consular official or senior consul's deputy engaged in a hearing; the assessor in the Mixed Court had a "judgment sheet" before him, but it was agreed that under the new regime the official or deputy sitting in a mixed case should have only a sheet giving the number of the case under trial, the names of the parties, and a heading "translation of order or judgment." This reverts to an earlier practise in the Mixed Court when the role of the assessor was confined to a translation. The Chinese did not meet the desire of the officials and deputies to be furnished with copies of the records of proceedings made by the Chinese recorder.

Difference arose also with reference to the payment of fees by foreign nationals. The Joint Legal Commission recommended that "court fees be paid in future by all parties irrespective of their nationality." In the days of the Mixed Court, the nationals of Powers enjoying exterritoriality paid no fees to the court, and in the case of Americans no fees were paid to the consulate. During the period of transition, the officials of the Provisional Court agreed that exterritorial foreigners would not be required to pay fees prior to March 31, 1927; but on that date the Consular Body had not yet agreed that such fees were to be paid in the future, and the formal waiver of immunity has not yet (May 1, 1927) been made. The scale of fees is not altogether that of ordinary Chinese courts, and consists partly of charges for special papers which must be used. The understanding seems to be that future increases must not be made which will discriminate against foreigners.

In the days of the Mixed Court, a practise grew up of expelling Chinese from the Settlement as a punishment for crime, and of imposing penalties for a violation of an expulsion order. The Provisional Court early decided to discontinue the practise of expulsion, saying that it had no power to banish a Chinese from one part of Chinese territory to another. It was also reluctant to impose any penalties for the return to the Settlement of those Chinese who had been expelled by order of the Mixed Court. But the Consular Body has insisted that the continuing validity of past judgments of the Mixed Court, agreed upon at the time of the rendition, included the continuing operation of Mixed Court orders of expulsion. The problem has been aggravated by the disturbed conditions in China which led many Chinese to seek refuge in the Settlement.

Difficulty has arisen also over a difference of views with reference to the participation of consular officials and senior consul's deputies in interim stages of proceedings in cases in which they are to take part in the final trial. In numerous cases, the judges have felt it necessary to pass on preliminary motions and *ex parte* applications without waiting for the presence of an official or a deputy; but this practise obviously curtails the later participation of such officials or deputies and is opposed by them. The precedents have not yet clearly established any rule. In a few cases, the nationals of exterritorial Powers have waived the right to insist on the presence of a consular official, and the judges have deemed themselves competent to proceed with the trial. The Consular Body seems to have challenged this practise, though the provisional agreement does not so clearly limit the jurisdiction of the court as to preclude it.

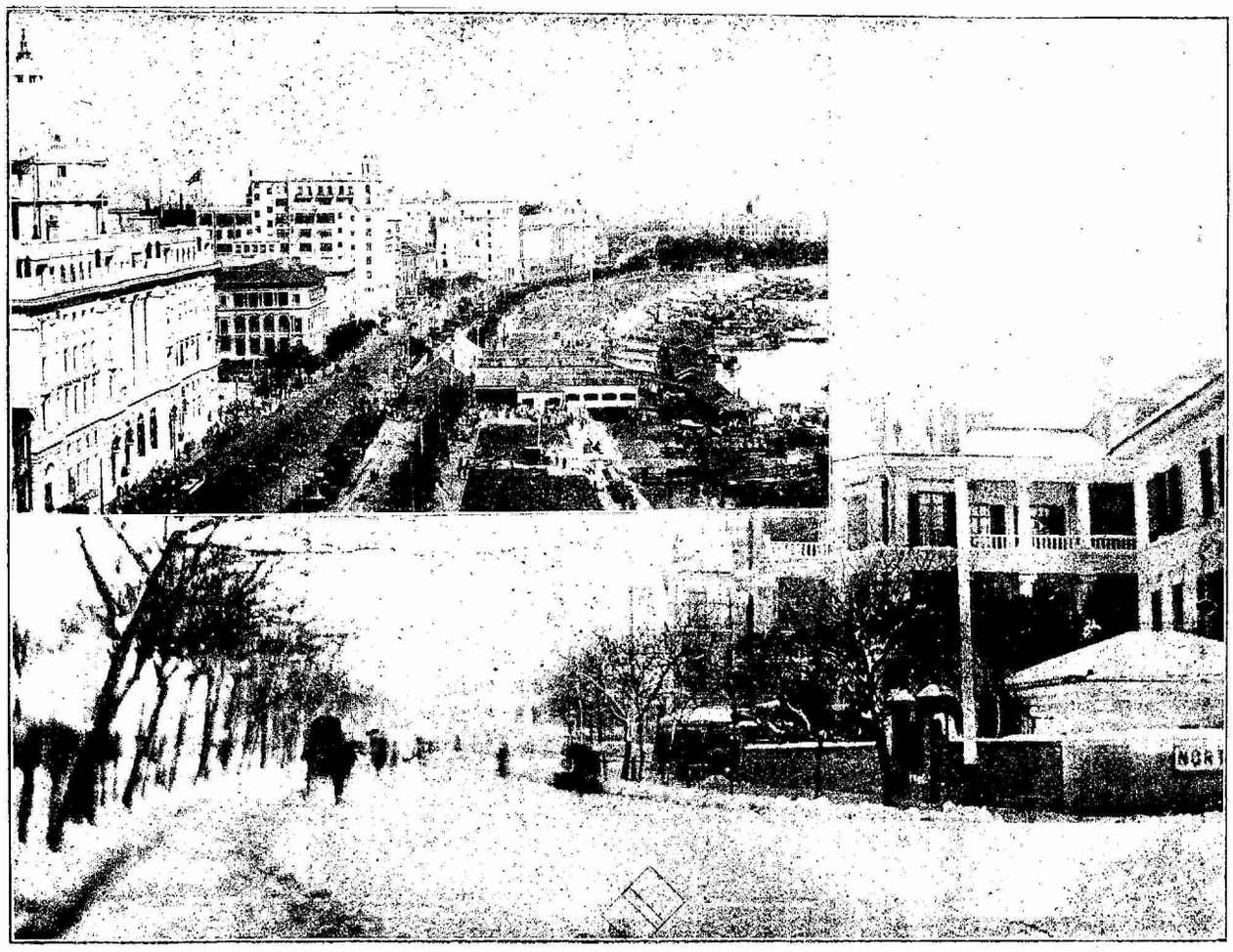
In spite of its difficulties, the Provisional Court seems to be passing through the initial period with some measure of success. Civil cases, especially mixed civil cases, have been much delayed, but in March, 1927, the court dealt with about 5,300 criminial cases. The political strain of the time has not lessened its burden nor increased its popularity. It has been attacked from two sides. On the one hand, the terms of the rendition have been denounced by some of the Chinese on the ground that "the foreigners are still in possession of all the rights they had already acquired while in control" of the Mixed Court. On the other hand, extremists among the local foreigners, eagerly seeking for vindication of their forebodings about any policy of conciliation, have found their fears justified by the record of the court. One writer is "certain that the entire foreign population of this Settlement is now convinced that the return of the Mixed Court to Chinese control was a fatal error, almost a crime against the peace of Shanghai." And an intransigent local newspaper would have put the "clownish Provisional Court outside the barbed wire." But such views do not express the sober opinion of most of the members of the bars of Shanghai, and such definite judgments of the new court are premature.

The Cour Mixte Francaise

A separate mixed court was established in the French Concession in 1869, but it has tended to follow very closely the changes made from time to time in the courts in the International Settlement. The procedure is governed by a *reglement relatif a la Cour Mixte* of May 9, 1921, modified by a *reglement* promulgated by the French Consul-General on July 18, 1924. A *Cour d'Appel* was established in the French Concession by an *ordonnance consulaire* of April 2, 1924. The volume of business in the *Cour Mixte* is by no means as large as it was in the International Mixed Court. It serves a much smaller population; but in 1925, it handled 5,272 criminal cases. The two Chinese judges are assisted by three French assessors.

In recent years Chinese opinion has not been as hostile toward the French Concession as it has been toward the International Settlement, and for this reason there has not been a similar demand for the rendition of the former's mixed court. The *Cour Mixte* began to deal with purely Chinese civil cases soon after such jurisdiction was assumed by the International Mixed Court; and the rendition of the latter influenced a retirement of the French assessors from such cases. By an *ordre de service relatif aux regles speciales des affaires civiles Chinoises* of December 30, 1926, the French Consul-General grouped civil affairs (1) between Chinese, (2) between nationals of Powers not enjoying exterritoriality, and (3) between Chinese and nationals of Powers not enjoying exterritoriality, as *"affaires civiles chinoises"* in which the Chinese magistrate is to sit alone. A special register is now kept for these cases, and *requetes* are drafted only in the Chinese language. Moreover, only Chinese lawyers may appear in such cases.

SHANGHAI TO-DAY AND YESTERDAY



Shanghai Today and as the City Appeared a Third of a Century Ago. As a Matter of Fact the City Has Grown Since the Picture in the Inset Was Taken Two Years Ago, for it Does Not Show the New Customs Building on the Bund Which is Now Nearing Completion.

The Future of the Provisional Court

The agreement of August 31, 1926, is to continue in force for three years from January 1, 1927; but during this period a "final settlement" may be negotiated at Peking to replace it. Otherwise the agreement is to continue in force for six years from January 1, 1927. Modification may be proposed at the end of the first three-year period, either by the Kiangsu Provincial Government according to the terms of the agreement, or by the senior consul according to the terms of the later understanding. The agreement is therefore called *provisional,* and the new court is named *provisional.* But China is a country where things provisional sometimes have a long life. In 1869 the Land Regulations of the International Settlement were *provisionally* agreed to by the diplomatic representatives at Peking, but in amended form they are still in force. In that year also, the Court of Foreign Consuls was established *provisionally*, but it still exists; and the Rules of the Mixed Court were *provisionally* agreed to, but they continued in force until 1927. About the same time, the *reglement* of the French Concession, only recently abrogated, was *provisionally* agreed to by the diplomatic representatives at Peking. In 1902 the rules defining the respective jurisdictions of the mixed courts in the International Settlement and the French Concession were *provisionally* established, but they are still in force. The Chinese Criminal Code of 1912 is called *provisional*, but it is still in force. On the basis of these precedents, the Shanghai Provisional Court may have a long career before it. Its future probably depends as much on the course of political events in China as on its own success.

It is really the future of the International Settlement that will determine the future of the Provisional Court. If the several districts should be reorganized to meet the needs of Greater Shanghai, if the Settlement and the French Concession should be united with various Chinese areas under a special kind of municipal government in which foreigners cooperate with the Chinese, then a special tribunal is needed, in which it would seem that foreign judges would be preferable to consular officers and deputies. If the Chinese would agree to employing some foreign judges, the Powers might well agree to abrogating much of the consular jurisdiction in this cosmopolitan community. But if no extensive reorganization is attempted, the system of Chinese administration with consular assistance must be developed until changes are made in the régime of exterritoriality itself. That system will always produce difficulties, so long as the police in the Settlement are under the sole control of the Municipal Council. Any attempt to undo the rendition which has been effected would be unfortunate; and improvement of the situation by immediate revision of the provisional agreement seems improbable. The final settlement" of the court problem at Shanghai must await the establishment of a local government to which the Chinese will not be hostile.

Meanwhile, the needs of the community will be somewhat adequately served by the Provisional Court only if the Chinese and consular authorities are determined that differences on details shall not stand in the way of their cooperation. The history of the Mixed Court during the past fifteen years has abundantly demonstrated the desirability of Chinese control of public institutions in China, and of the foreigners' seeking protection of their interests through the Chinese themeselves.

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The Nationalist Revolutionary Movement of China

By Gen. Bei Tsung-hsi,
Defense Commissioner at Shanghai

Since the inception of the northern campaign by the Nationalist Government the nationalist revolutionary movement of China has widely developed and gained much ground. Hence, the whole world shakes. That the motive of the movement is high and the action is bright can be easily proved by divers facts. Many an imperialist uses every possible means of manufacturing and spreading rumors through newspapers and consequently many of our honest friends have been deceived. They have regarded the movement of today just as the same as the Taiping Rebellion of Hung Yang. But it is different entirely. Such blind recognition marks a black spot on the part of foreign newspapermen. Is it not true?

The editor of the *China Weekly Review* is justified when he announces his intention to eliminate the narrow nationalism and the bad habits of imperialist-running-dog type reporters on the one hand—and on the other records real facts, writes impartial opinions and distributes to foreigners honest reports concerning our new nationalist revolutionary movement. Now he plans a special issue entitled The "Nationalist Revolution and the Rendition of the Shanghai Settlements" and asks me to contribute an article. I gladly accept it as it is my chance to reveal the reality of our nationalist revolutionary movement before foreigners.

The society of human beings is incessantly progressing. When a few men of privileged class turn out to be selfish, corrupt systems will certainly be introduced, and thus become a bar to the evolution of society. But if in such society there were people awakening, they may use a sort of force to abolish all corrupt systems on the one hand and to establish a new kind of social organization on the other. Such activity—destruction of the old and construction of the new—iscalled revolution. The nationalist revolution runs just on this track. It is the revolution of the whole body of Chinese people for overthrowing the long persecution of our brethren by militarists who are in close touch with foreign imperalists. This is well stated by the declaration of the Ming Society: "The citizen of a country must possess liberty, equality and fraternity, or otherwise, the responsibility of revolution." This is good. This kind of revolution is really democratic.

According to Chinese history the earliest revolution can be traced back to Tang Wu. But that revolution was "according to God and harmonious to man" as Confucuis put it. Furthermore, it was simply a change of the dynasty. Even the revolution of Liu Pong and Hsiang Yü was also a sort of "gc and take" revolution by individual heroes. Neither had any close connection with the mass of people. From this, we have not had historically a nationalist revolution, a revolution for the liberty and equality of people.

During the period of the overthrow of the Ming dynasty and inauguration of the Manchu regime there broke out many narrow nationalist revolutionary movements. Later in the last days of the Tsing dynasty also burst out Taiping Tien Kuo with the overthrow of Tsing dynasty as its motive. Owing to poor organization and ignorance of the world tide and psychology of the people on the part of leaders like Hung Su chuang and Yang Su Tsiang, questions arose internally. Thus, their influence was eclipsed after a span of several years regardless of their occupation of the Yangtse River.

By the downfall of Hung Yang, the Powers came to know that the Manchu regime was weak. Then they all of a sudden, took an aggressive attitude politically, religiously and economically toward China. Besides, many machine-manufactured foreign goods immeasurably flooded into our markets and displaced handicraft-made Chinese goods. As a consequence the Chinese handicraftsmen of course became bankrupt. So panic in the East ensued. In addition to the external reasons, there was, of course, the internal trouble. That mainly the introduction of the new idea of man's rights and the renaissance of Japan which helped disclose the corruption of the Manchu regime on the one side and on the other sowed seeds of revolution elsewhere upon the soil of China.

Gen. Bei Tsung-hsi, Defense Commissioner of the Shanghai-Woosung Special Administrative Disticts. Gen. Bei, as chief-of-staff to Gen. Chiang Kai-shek, Was the first Nationalist Commander to Enter Shanghai after the Defeat of Gen. Sun Chuan-fang Last Spring.

Three years after Hung Yang, we had a man who was the leader of the nationalist revolution of China, father of the Chinese Republic and inventor of the Three People's Principles. He hailed from a little village in the Hsiang Shan district, Kuangtung province. He was interested in Hung Su Chuang, so interested that he frequently called himself the second Hung. Needless to say he possessed fully the idea of revolution. That man was Dr. Sun Yat-sen.

In 1849 the Sino-Japanese war broke out.

The Sino-Japanese war resulted in the Waterloo of China. All people got excited in learning that—also Dr. Sun Yat-Sen. He then with his friends returned to China and prepared to plot in Kwangtung. Unfortunately the transportation of munitions and arms was rather carelessly done and so made the plot known. In the long run nothing was accomplished. More than ten people were put to death. That was the first sign of our modern revolutionary movements.

Since then everything in China has run to the dogs. An atmosphere of partition prevailed throughout the length and breadth of the country. At that time we had two new-minded and far-sighted people, Kang Yu wei and Liang Chi tsao who tried to work a renaissance but failed entirely. This failure was significant because it well proved that the only obstacle to progress in China was the Manchu regime and that the Manchu regime could never be cooperated. Further, it paved the way for a later revolution for a better society.

Again, since the war, machine-manufactured foreign commodities entirely displaced handicraft-made domestic commodities in our market. So, there was large unemployment. Meanwhile Christians especially in the interior were accused of persecuting peasants and interfering with everything. As a result broke out the socalled Boxer Rebellion of 1900. The Rebellion was right originally, because it was anti-imperialist. But later on account of poor organization and lack of brilliant leaders, the movement went astray. It no longer attacked Imperialists but became a mob and anti-foreign.

In the same year Dr. Sun Yat-sen with his friends Cheng I-liang, S. Chiru and Yamada started a revolution at Weichow; Tang Chi at Wuchang; Cheng Li-shan at Anhwei. But all failed. Yet thousands of people were in sympathy with the movement. Even the overseas Chinese, mostly students, were registered as members of the Hing Chung Society.

The revolutionary bodies at that time multiplied. Besides the Hing Chung Society, there were the Hwa Hing Society organized by Hwang Hing, and the Sung Chiu Ren, and Kuan Fu Society, by Tsai Yuan Pei and Chang Ping Ling. The aims of these societies were similar. In 1905 they met at Fuji, Tokio, and amalgamated into a bigger society called the Tung Ming Society with Dr. Sun Yat-sen as president.

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This amalgamation of course contributed to the strength of revolution a great deal. A paper was published by the Society for propaganda. It was called Ming Pao.

The revolution during the Tung Ming period made much progress and the Three People's Principles were just in embryo. We read the declaration of the party platform for that time in the following:

"Our stage is different from previous ones. Now we have to drive out Tartars on the one hand and recover the Chinese Republic on the other. The form of government should be changed. The previous revolution was a revolution of heroes. Now it is the people's. The people's revolution means that every citizen with the spirit of liberty and love should share the responsibility of revolution. The success of the army is to be the success of the people. Army and people should cooperate in order to accomplish our ends."

With the establishment of the Tung Ming Society, the idea of revolution spread widely. Its influence was great. Its organizations were multiplied. Within one year its members were over a hundred thousand. In 1906 there broke out the Ping Hiang and Lee Ping war. Following that there were other patriotic wars at Chiu Chao, Hwang Kon, Ching Chow, Lee Chow, Chung Nan Kuan, Ho Ko and other regions. Besides, we also saw the coup d'etat of certain armies aiming at the assassination of Manchu ministers.

The Wuchang revolution only overthrew the corrupt Manchu regime and gave the political authority to Pei Yang militarists who, in close alliance with imperialists, found every possible way to impede the revolutionary movements. So, and only so has there been a Republic in name, but a dictatorship of a few militarists in fact. The country was just as rotten as the Manchus, Upon the death of Yuan Shih-kai, the militarists lacked a chief. Then the situation became more complicated. Big militarists controlled the central government while the small ones did nothing but gather in money and territory. They supported bad politicians and bandits. They worshipped imperialists. Moreover, they crushed any patriotic movements. So they were strongly opposed by everybody. It is because of their barbarous act that the nationalist revolution grew so swiftly and so successfully.

When the revolution of 1910 was accomplished Dr. Sun Yat-sen was elected Provisional President. Not long after he resigned due to the utter impossibility of enforcing his plans. Nevertheless, he still kept on the revolutionary work. In 1914 the name of the Tung Ming Society was changed to the Revolutionary Party of China. The third campaign was then under way.

The 4th of May movement, 1919, opened a new page in the history of Chinese Revolution. In other words, the revolution became a mass revolution instead of a few men revolution.

The origin of the 4th of May movement can be briefly described in the following:

Japan used the 'golden time of the World War, when other European Powers were too busy to meddle with the Far East, to conclude a secret agreement called the Twenty-one Demands with Yuan Shih-kai, who was longing to be emperor at that time. In 1918 the war ended and an armistice declared. Next year the Paris Conference convened. We, being one of the allied countries, participated in the conference.

On learning that the previous movements leaned too much to militarism and neglected popular propaganda and party organization, Dr. Sun Yat-sen commenced to reorganize his party in 1923 and changed its name to the Kuomintang of China, devoted solely to thework of awakening people and to uniting those countries which treat us equally and justly. From this time on the Chinese revolution became a real revolution for the people and by the people.

The reorganization of the party was significant. It not only improved the platform of the party but also brought forth the well-known doctrine, of the Three People's Principles has been and is still the true soul of our revolution.

aving the perfect doctrine, plus the clear-cut party rm, web-like organization and iron discipline, the Kuo- ig of China, since reorganized, takes the lead in all sorts of activities and becomes more and more popularly revolutionary.

The Kuomintang of China, since reorganized, grows more prosperous. Many young members, mostly students, have been registered. They have gone to the country-side and villages to pursue propaganda work and to engage in organization work. They have the spirit of sacrifice for the party. Their number is reported as totalling 80 millions the, number of peasants and laborers being some hundred thousand.

The Basic Aims of the Chinese Nationalists

By P. T. Lau,

Former Professor of Business Administration Chung Shan (Sun Yat-Sen) University of Canton, China

(Reprinted from The Annals of the American Academy)

THE British and the French press put most of the blame for the Chinese troubles at Uncle Sam's door. Are they justified in this contention? Uncle Sam does proclaim the gospel of freedom wherever he goes. After winning his own independence, he liberated his negro slaves. His spirit flew across the Atlantic and impressed the French people arousing them to revolution. President Wilson was a zealot in preaching to the oppressed races the doctrine of self-determination. After knocking at China's door, asking her to open it to foreign intercourse some eighty years ago, thousands of American missionaries and merchants went to China to proclaim the good tidings of freedom. Millions of dollars were spent for the uplift of the young Chinese through the mission schools. Chinese youths were brought over by these missionaries to breathe the air direct from the very cradle of liberty. Again the Boxer Indemnity funds were returned to China with the clear understanding that they were to be used for educational purposes, modeled after the American system. Thousands of government and private students streamed to the land of the free for scientific and industrial training under the selfsame system as that accorded to the American youths. Thus China's young generation is imbued with American ideas and ideals, To be sure, the spirit of liberty and equality is the most contagious of all national forces.

Commercially speaking, these Chinese youths are educated to the American standards. It is natural for them to fill their new wants from where they were created. They patronize America from stationery to railroad rolling stocks, Hence, the trade between America and China developed, and since it goes with a sentiment of friendship, the growth in recent years has been rapid.

The Proverbial Rabbit Sleeps

While all these forces tend to push China, in spite of herself, into social and political upheavals, foreigners in China are still indulging in the sweet dreams of their forefathers, and fancy they can follow their time-worn procedure in dealing with the country. They maintain their superior air. All Chinese are the same to them,—just a herd of coolies.

The British residents in China deplore the new spirit instilled in young China. Since they are not deferred to as they used to be, and the young Chinese will not submit to the old role they assign to them. the British critics and press publish inflammatory and irritating things about the people in whose country they reside. In proof of these statements, read *What's Wrong with China*, by Rodney Gilbert, and *China; A British Resident's View*, in *The Economist* of January, 8, 1927. They seem to infer that the Chinese as a race are hardly fit to live in God's world; that they possess no virtue as understood by the West; that they are racially dishonest, and of low mentality, recognizing nothing but force. "They are a nation of children who stopped growing at about the commencement of the Christian Era."

According to some of our British critics, the Chinese are hardly human, If you prick them, they would not bleed; tickle them and they would not laugh; poison them and they would not die; wrong them and they would not seek to be avenged. Living as foreign residents among a people for whom they entertain such contempt we can easily imagine the character of Sino-British relations and the incentive to discord.

What They Think They Practice

The British apparently have such a mental complex about the Chinese, with whom they have to deal so extensively and in whose land they have so much interest, that they believe religiously the only way to handle these people is to terrorize and humiliate them. To do them justice and prevent misunderstanding at the outset, this much must be said: I have met many courteous and fair-minded British scholars and merchants among the foreigners in the Orient. But on the whole the British in Asis practise terrorization and humiliation to gain their ends. Such theory runs through their prtvate and official dealings in China. Imbued with such psychology, they often pursue practices which they would otherwise forego.

In the Canton concession, known as Shameen, the entrance has a main door and two small side doors. The main door is reserved for foreigners, and Chinese must enter at the side doors no matter how reputable they may be. Then on the promenade along the broad water front Chinese are prohibited. The Shanghai public parks are forbidden grounds for all Chinese, and not very long ago this sort of sign was posted at the entrance: "Dogs and Chinese Not Allowed." Of course, the Chinese do not forget that the land belongs to them, and that from eighty to ninety per cent of the upkeep for these parks comes from their pockets as taxpayers. If the Chinese do not rise to resent such outrageous humiliation. I should say the British presumption that the Chinese belong to quite a different species of animal is entirely correct.

About five years ago there was a Chinese seamen's strike in Hong-Kong. The British Hong-Kong government interfered instead of allowing the seamen to settle the differences with their employers. As the seamen refused the terms dictated, the British officials resorted to force. The union headquarters were sealed, the union leaders were arrested, the workmen who refused to return to work were flogged, and many of those who sought to escape from Hong-Kong were shot at the Chinese border of Kow-Lung. When the Canton officials welcomed the strikers, the British authorities sent strong representations, censuring them for giving aid and comfort to "the deserters of their work." But for the first time the British theory of terrorization and force did not succeed and the officials had to acknowledge defeat. The demands of the Chinese seamen were practically accepted in toto. The union headquarters were restored. This incident demonstrated to the Cantonese that their new weapon of defiance was mightier than the British gunboats.

The Boycotting of Hong-Kong

The subsequent boycotting of Hong-Kong was the result of the shooting of Chinese students in Shanghai and similar outrages in Canton. The case has been reported all over the world and was thrashed out in the Shanghai Mixed Court and the International Judiciary Inquiry. But the ordinary Chinese understand it as follows: Primarily, it was a case against the Japanese, not the British. Early in 1925 a Chinese workman was killed in a Japanese cotton mill by a guard. For several months the laborers of the mill tried to obtain justice and indemnity from the mill authorities, but were not successful. Hence there was much agitation going on.

The patriotic students thought it was their duty to help their fellow countrymen, so they plunged in. They tried to get their case fairly presented in the press, but whatever they wrote was suppressed. Finally they resorted to other forms of publicity. They chose May 30, 1925, a Saturday afternoon, to make speeches in the thoroughfares of the International Settlements of Shanghai. They reasoned that if they were not interfered with they would get their side of the conflicting interests to the public, and should they be arrested, all the newspapers would explain the reasons for their arrest and consequently they would attain their end. Hence they all joined in with good spirit and humor.

When the speakers were arrested by the police they were followed through the streets by great crowds. They jammed the small police station. Since it was a Saturday afternoon, naturally there was an unusual crowd of onlookers.

With a handful of police officers holding the station the British captain was at a loss to know what to do. He forgot his own training and regulations. According to his own testimony in court, he shouted out a warning and gave the immense throng a few seconds to disperse. When the crowd failed to heed his warning instantly, he ordered the police to fire. Scores of the students and onlookers were killed and many more were injured. In the Mixed Court it was found that most of the killed and injured had their wounds in the back, showing that the crowd did attempt to heed the command to disperse.

This outrage aroused China to protest. Intense ill feeling against the British spread all over China. All laborers struck, and merchants closed their doors in Shanghai in protest and British goods were boycotted. But some of the northern militarists, desiring to curry favor with the British, attempted to suppress the organized boycott in the territorities under them.

Since Canton has always been more independent and nationalistic than other parts of China, such news naturally aroused popular indignation to a much higher pitch. Hence the Cantonese set the date of June 23, 1925, as the mourning day for their fellow countrymen massacred in Shanghai. When the news reached the British consul in Canton, he attempted to intimidate the Canton government and warned it not to permit such demonstrations, declaring that he would hold the Cantonese government for whatever might happen.

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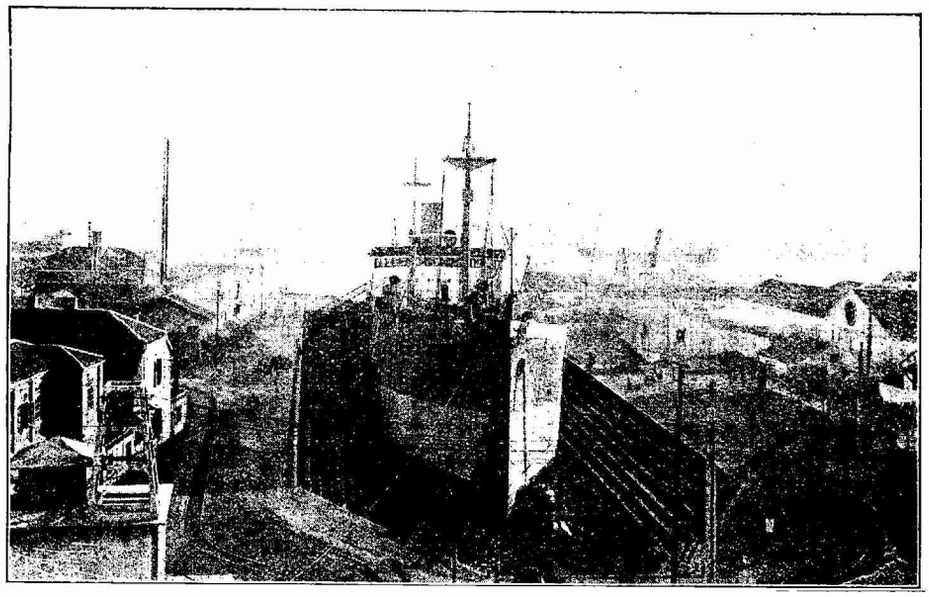

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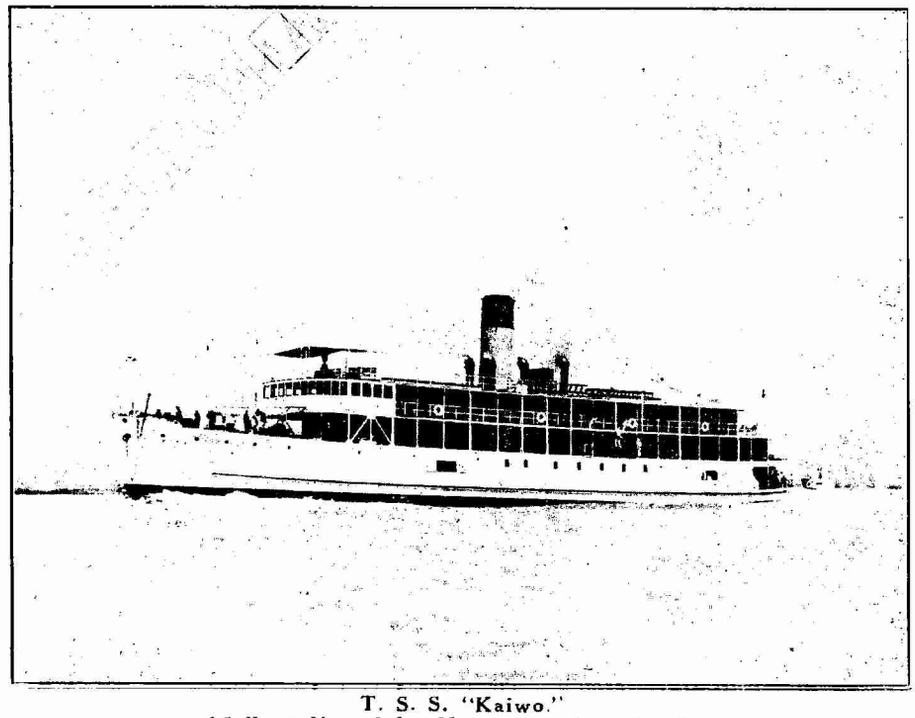

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The Canton officials replied that it was their own business and that they did not see fit to prevent patriotic demonstration by their people.

On the day of the demonstration, Shameen, the Canton foreign concession which is separated from Chinese territory by a canal, was armed to the teeth. The British and other foreign gunboats were in readiness for action and the entrances were barricaded. When the students, boys and girls, workmen and merchants, were parading through the Ma-loo, or boulevard, passing through Shakee, the road opposite the concession, the paraders were fired upon by the British garrison guards. Scores of the students, including a Chinese professor of the Canton Christian College, an American mission school at Canton, were killed and many were wounded.

The British consul tried to wash his hands of responsibility for this outrage, saying he had warned the Canton government beforehand and that the Cantonese paraders opened fire first. Naturally, his contention was to be expected. But thirteen American teachers of the Canton Christian College signed a statement certifying that the foreign concessions had started the firing Later, when one of the noted American educators of the Canton Christian College who signed the protest, laying the blame for this shooting on the foreign concession authorities, went to Hong-Kong, the British authorities called upon him to retract his statement. Upon refusal, he was asked to leave the colony with his family. He left, but protested to the American consul on the ground that his action was fully justified.

This Canton shooting simply added so much more oil to the flame of unrest. It again demonstrated the British theory of dealing with Chinese by force. In reply, the Cantonese started the boycott of Hong-Kong. At the outset the British Hong-Kong authorities were rather amused at such action. They appeared to have good reason for it. Hong-Kong is one of the world's largest ports. In 1917 its shipping equalled that of New York, Philadelphia and Boston combined. It is the neck of South China

Due to its commercial facilities, practically all foreign goods converged to Hong-Kong before being transhipped to different parts of South China. I venture to say that eighty per cent of the rice, the chief food of the Cantonese, and ninety per cent of their metals and iron come through Hong-Kong. Therefore, when the Cantonese started their boycott of Hong-Kong, the authorities of that city resorted to a blockade of Canton in reprisal. But rice from Siam and French Indo-China found its way to Canton direct. All foreign goods—German, Russian, Japanese and American—were carried up to Canton without stopping at Hong-Kong. Hong-Kong, which used to be considered indispensable to Canton or South China, proved to be a mere luxury. This boycott has continued for more than fifteen months, and can be kept up indefinitely if the Cantonese desire it.

The anti-British feeling was still further aggravated by the Wanhsien incident of last September. Wanhsien is a district in the upper Yangste River of Szechuan province, Western China. According to the Chinese report, a British merchant ship rammed a Chinese troop transport of General Yang Sen. In consequence, several of the soldiers were drowned and some thousands of silver dollars went to the bottom of the river. Hence the British merchant vessel was detained by General Yang Sen. Upon refusal to release the ship a British gunboat tried to take it by force, and British gunboats bombarded Wanhsien, an unfortified district, laying waste practically the whole area. Conflicting reports put the number of Chinese civilians killed from a few hundred to a few thousand. In any event, it further inflamed the feeling between the British and Chinese, and it was the chief factor in creating a national purpose on the part of the Chinese to get rid of foreign domination.

Since the nationalists are characterized by independence in dealing with foreign powers, this helped to draw to their banner all the enlightened Chinese, and because of their success in the boycott of Hong-Kong, the popular faith in and support of the Canton government is practically unanimous. Therein lies the strength and morale of the Cantonese or Nationalist government.

The Russian Sun *vs.* The British Wind

China is by no means red. Even among the most intelligent of the Chinese, I doubt if more than two per cent of them understand exactly what is meant by communism. The "See Reds" have done much more damage than the Reds themselves and they have accomplished much greater propaganda work for the cause of the Reds than the Reds ever could afford to pay for the services. The intolerance and malintent of certain circles to suppress the truth have driven even the moderates into the camp of the radicals. The red menace we hear so much about, it seems to me, is nothing but a smoke screen of the enemies of China to besmear the Nationalists' aspiration and is intended to counteract the effectiveness of the Nationalists' slogan: China for the Chinese.

It is true that the Nationalists employ Russian advisers; but we must not forget that they also employ Canadian and American advisers, and that the Peking government employs advisers from practically all European nations. It is true also that the Nationalists employ Russian military instructors, but at the same time we must not over look the fact that the northern war lord, Chiang Tso-lin, whom the European powers lauded so highly as China's conservative leader, employs armies of Russians to fight for him. It shows China's present poverty in trained men. We are ashamed to admit this condition; nevertheless, has she not the right to employ whoever she likes in the circumstances? This too naturally disturbs the powers.

Whatever the world may say of the Russians, they have won the Chinese heart; and however the world may speculate as to their ulterior motives, so far they have given China far more than they can ever expect to regain materially. They did not wait until the Chinese laws were perfected before surrendering their extra-territorial rights. They did not invite the powers to endless conferences before permitting China to increase on paper her customs tariffs from five to seven and one half per cent They did not override the rights of China on the ground that she has no authorized government with which to deal. They did not tell China that the Russian government must hold onto its concessions until relinquishment could be accomplished through a gradual process. But in one stroke the Russians cancelled unconditionally all rights and drivileges obtained under the Czarist régime.

How Fares It With the Nationalists?

The rapid success of the Nationalist army has startled the world. In the course of a few months' this comparatively small army has traversed hundreds of miles northward to conquer strongholds held by powerful militarists, until now they dominate more than two-thirds of the vast empire, while militarists of the other third are straining every nerve to find means to stop the onslaught. Our well-wishers see that the hope for a united China through the Nationalists is about to be realized, though critics would cite numerous instances to prove that it is the usual rise and fall of the tide of powerful war lords in the Chinese civil wars. But unbiased observers can readily detect the difference. The Nationalists are fighting for a vital principle, while the militarists are fighting for selfish ends.

But what have been the aims of the Nationalists? They have adopted a platform which sets out clearly their purposes. It is based on Three Principles of the People as laid down by Dr. Sun Yat-Sen. The first principle is simply a declaration in favor of selfdetermination, freedom from internal militaristic oppression and the external yoke; the second, government by the people; and the third, equal opportunity to earn a livelihood and the socialization of industries.

To put these principles in practice, as Doctor Sun realized, will require time. Therefore, he designated three periods for putting them into effect, namely, the period of military dictatorship, to enforce law and order; the period of tutelage, to educate the general masses in-government; and, finally, the period of constitutional government.

With these principles as its background, the Nationalists make their appeal direct to the people. A public opinion is thus created and educated. Not only are their soldiers taught exactly what they are fighting for, but the people at large learn of the aims and aspirations of the general movement. Hence the morale of the Nationalists' army is superb.

The Conflict Between the Nationalist and Foreign Powers

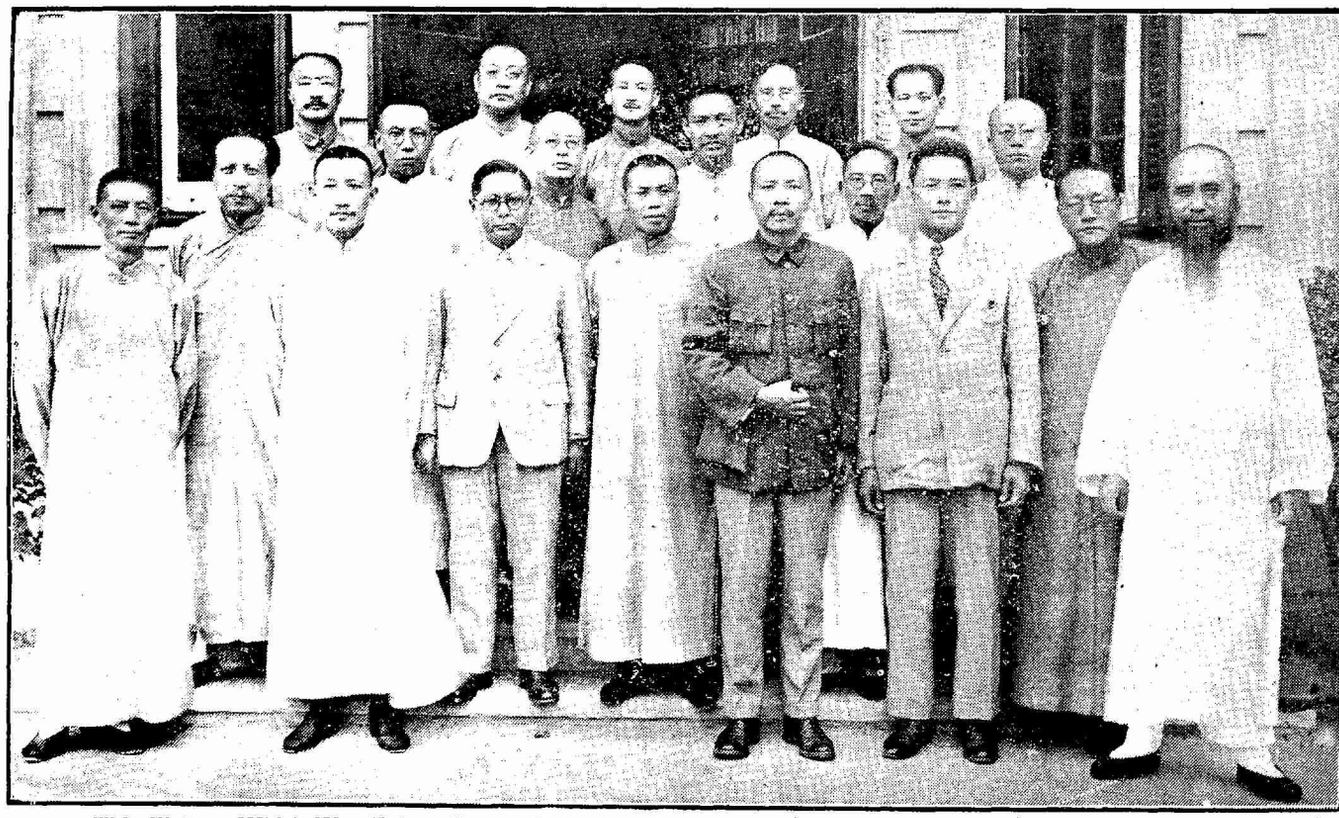
There is no middle ground for compromise between the Nationalists and the foreign powers, because their interests are running in opposite directions. The Nationalists want China for the Chinese

Read this statement made by General Chiang Kai-shek, the former military leader of the Nationalists, given to a foreign correspondent:

"If extraterritoriality continues to exist in China, and if foreign powers continue to exercise special privileges in this country in the form of administering and owning concessions under their own laws and outside the Chinese Government, then the present revolution will not be complete until these are entirely abolished. It is just as great a part of the revolutionary movement to abolish extraterritoriality and foreign concessions as it is to stamp out the northern militarists, and this revolution will not come to an end until that has been done.

"This is not an evolutionary government. It is revolutionary. There will be no period of years, not one or two or three years. We will have equality, and any treaties which do not give us that equality with other nations of the world will cease to exist so far as we are concerned. There will be no probationary period of waiting once the revolution has become a success, insofar as our military movement is concerned. There will be no years to wait for the abolition of extraterritoriality and the handing back to China of Concessions. This will be done at

The Present Nationalist Government



This Picture, Which Was Taken Shortly Following the Reconciliation of the Nanking and Hankow Factions of the Kuomintang Contains Practically all of the Officials of the Present Government at Nanking. They are: *Front Row* (left to right) Chu Sheng, Chang Fu-chuan, Wang Pao-chun, Sun Fo, Gen. Li Chung-jen, Gen. Chu Peh-teh, Wang Ching-wei, who has since resigned from the Central Executive Committee, but Who May Return to the Fold, Yeh Chu-chang and Gen. Yu Yu-jen. *Back row* (left to right) Gen. Li Lieh-chun, Cheng Hai-ping, Gen. Tan Yen-kai, Hsi Chih, Hsu Chung-chih, Gen. Cheng Chien, Tan Li-ming, Dr. Tsai Yuan-pai, Liao Pi-chen and Dr. C. C. Wu, Minister of Foreign Affairs.

once, and foreigners who wish to remain in China are cordially welcome to stay here and be governed by our laws. Nations which wish to trade with us may do so in accordance with our laws. But no one can stay in China, and no one can trade in China, and still be subject to his own laws alone, without reference to the laws of the Chinese Government. The idea of waiting for the abolition of these special and unequal privileges over any period of time does not meet with sympathy on our part, and we will not submit to any such delay under any circumstances."

This represents the idea and spirit of the Nationalists. There is nothing vague about it. This challenge is put up to the foreign powers. They must either accept it or reject it. If they accept it, the China problem is solved once and for all. If they reject it, we can be assured of a continual struggle.

What Are the Grievances of the Chinese?

China's ills have been diagnosed by foreign observers as due entirely to internal trouble—that is, the lack of adequate transportation and communication facilities, bad government, the exploitation of the militarists, and the like. But the Chinese themselves lay most of the blame on the operation of the unequal treaties. I shall set forth a few of the abuses and misuses of the unequal treaties, not as an exhaustive or scientific study but as comprehended by the average intelligent Chinese to-day.

The foreign powers control and administer our seaports They control not only our maritime customs but have the sole power to fix the tariff. China cannot increase her tariff without the unanimous consent of the foreign powers. Five per cent *ad valorem* plus two and one half per cent surtax is her whole schedule of tariff on all goods passed her customs, luxury or necessity. All money thus collected is deposited with the British bank, the Hong-Kong and Shanghai Banking Corporation. Then this money is transferred to foreign treasuries to meet China's obligation—indemnity debts or debts created by the Peking politicians and militarists, mostly for their private ends. Whatever surplus is left, the British inspector general hands back to the Peking treasury.

One strong objection raised by the Nationalists is that tariffs collected from their territories and remitted to the Northern militarists is used to carry on the war against them. Besides controlling the customs, the foreign powers control China's salt tax and postal services. In a word, China's internal finance is entirely in the hands of foreigners.

Hence China cannot raise money to run her schools or administer her law courts, and in fact she has no means to meet the growing needs of a modern government. But she must have money, and necessity knows no law. She simply had to follow the line of least resistance and keep up the ancient, antiquated, and self-detrimental tax known as Likin.

The Likin is an interdistrict tax, and sometimes there are several such stations in one district. All native goods or goods owned by the Chinese must pay a tax at each of these stations. But foreign goods or goods owned by a foreigner are not subject to this tax. Therefore a foreigner is in a special privileged position and is not subject to the Chinese taxation except the five per cent tariff and two and one half per cent surtax on the goods brought in.

The sixteen years of civil war in China has been fostered by foreign gun runners and adventurers. They and the Chinese militarists consider it a profitable business. Not long ago a writer in the *Saturday Evening Post* asserted that the entire stock of rifles captured by the Italians, following the collapse of the Austrians in the World War, has been sold to the northern militarists in China. Mr. J. Gunther, London correspondent of the *Chicago Daily News*, said that the Wanhsien incident in which the British gunboat shelled the town "was caused by a grotesque error made by a gun-running English skipper."

At the Washington Conference of 1922, the British delegation, which was cognizant of the inhuman business being carried on by the foreign adventurers under the cloak of special treaty protection, proposed to introduce measures to stop it. President Harding supported it heartily. But other powers interested in the business objected. Hence it continues unabated. Since the Chinese have no jurisdiction over the foreign ships, foreign warehouse, and foreign concession, they are the most convenient places to do this sort of business.

In a respectable Chinese district a foreigner may keep houses of ill-fame or low class hotels. The Chinese authorities

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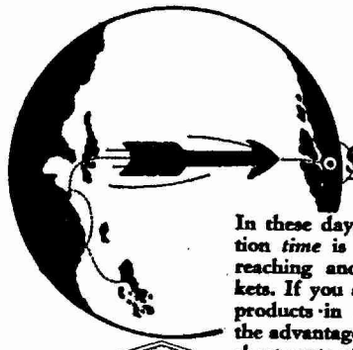

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not only have no power to stop the business, but cannot even peep into their premises, since, they have no jurisdiction over them. A foreigner's house in the Chinese territory is practically a foreign nation within China.

Evolution vs. Revolution

Revolutions always cause unnecessary waste, hardship, and misery. But sometimes it seems there is no other way out. When rights, pride and honor are involved, men are no longer rational beings. Moderation loses ts appeal and reason becomes impotent. The American colonies found it necessary to revolt because they could not gain their end by a program of peaceful evolution. So it has been with the revolutions of other nations. It is human nature that those who gain privileges will not relinquish them unless they are forced to. The watchword in international circles seems to be "they shall take who have the power and they shall keep who can." But now China is aroused and I fear half measures will not satisfy her. She is demanding her full rights and whole freedom. She is tired of hearing the destructive criticism and fault-finding of the powers, who see the mote so clearly in the Chinese eye and cannot see the beam in their own eye. She is weary of the excuse that because Chinas' house is divided the powers cannot return *some* of the rights taken from her, for the Chinese know that when any vital concessions which the powers want to extort from her are involved, that sort of question never troubles their conscience. Then any one or any party can represent the 400,000,000. A Chinese signature attached to such a document is held as a bond. We agree with the powers that China must be responsible, but responsibility rests upon the possession of fundamental rights and personal freedom.

The New Mayor Discusses the Shanghai Problem

(*Continued from page 40*)

the will of the territorial sovereign, in accordance with the law and practice of nations, will ultimately prevail.

It took the Chinese nation eighty years, a rather lengthy period of apprenticeship, to learn the true nature of imperialist aggression. Having learned our lesson, it befits us to make some use of this knowledge. We shall be cowed into submission no more. It should be remembered that four hundred million people rising, under the call of national sovereignty and independence, can neither be satisfied with vain concessions nor be coerced with expeditionary forces. The Kuomintang knows of no road to salvation except one of law and reason. Not until the governments concerned realize this important criterion may we hope for a just and durable solution of the Shanghai problem.

Chinese Demand That Prisoners Be Handed Over to Local Authorities

The Chinese garrison commander at Shanghai, according to an account appearing in the Chinese press, has addressed a letter to the Commissioner of Foreign Affairs and the Shanghai Provisional Court demanding that all prisoners held in the municipal jail of the International Settlement be handed over to the Chinese authorities. In addition the Garrison Command demands that in future all prisoners be handed over to the Chinese authorities instead of lodging them in the municipal jail.

The letter addressed to the Commissioner of Foreign Affairs and Provisional Court called attention to the growing crime situation in Shanghai and stated that the handing over of the prisoners, instead of keeping them in the Settlement jail, would facilitate the work of the Chinese authorities.

The number of Chinese prisoners held in the Municipal jail is usually between 2,000 and 3,000.

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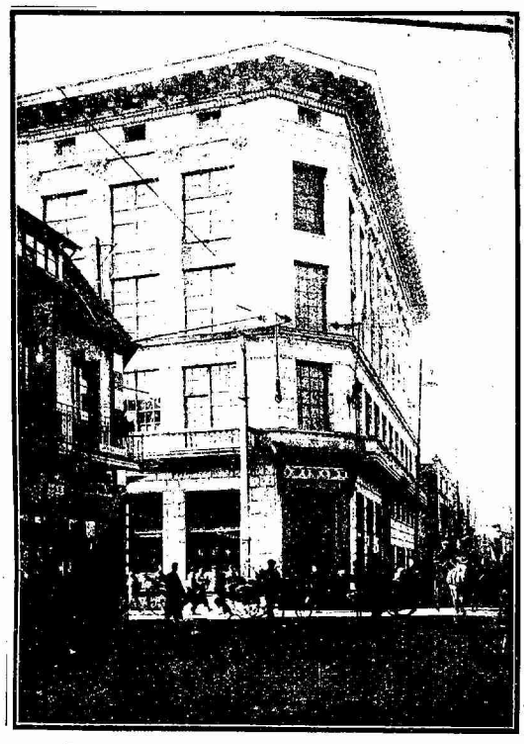

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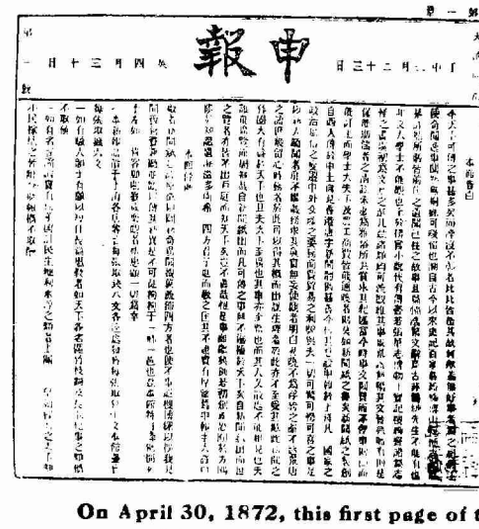

On April 30, 1872, this first page of the SHUN PAO was printed

24 Hankow Road. . . . . Shanghai China

The Legal Basis of the Municipality at Shanghai

(Continued from page 32)

such jurisdiction, we do it then by delegation from China, which delegation is outside of Treaty stipulations, although it may be held to be a normal result from them.

"It will be at once said that we are treading upon delicate ground, for if we hold our municipal functions by delegation from China, she may at any time withdraw her consent to our exercise of them, and the whole municipal systen falls.

"To this I answer that, while foreign courts can enforce the Regulations as the right and proper issue of the territorial sovereignty, which the foreign governments have approved as such, foreign officials may in their political capacity defend the Regulations and claim that they shall be held intact as being part of an agreement or contract entered into between the sovereignties involved. They have been solemnly framed and promulgated. Properties have been bought and moneys have been invested under them. The comfort, convenience, health and good order of a vast population are at stake. Under these circumstances, many cogent considerations can be adduced in defense of the Regulations and against the right of the Chinese to abrogate or change them without our consent.

"We are moreover so situated in virtue of the exterritorializing provisions of the Treaties, that it would not be easy to enforce any regulations without our consent, and we are thus able to exert a certain pressure upon the authorities to uphold such Regulations as we deem right. The authorities have uniformly shown a disposition to give us all reasonable support and aid in Municipal matters and, if we act reasonably, may be expected to continue to do so. The situation then is not one which need excite apprehensions.

Control Not Uniform

"It will not be overlooked that the systems of municipal control existing at Shanghai and at other places in China are not uniform. The Chinese have united with us here in framing and proclaiming Regulations. At other ports they have leased lands outright, and in this and other ways agreed to leave Municipal matters to the sole control of the foreign authorities and residents. But the fact that Municipal powers have been delegated elsewhere in some other way than has been done here, is not material, so long as we recognize the principle that such powers are to be considered as coming to us by delegation outside of the Treaties, and take due notice of the terms of the given delegation."

If, then, China retains her sovereignty over the territory of Shanghai, and if the Land Regulations come only by delegation from the state of China, what, as suggested by Consul-General Seward, is to prevent China doing that which any other state has the power to do at will, withdrawing, or altering the "Regulations", or charter, or authority given?

Elliott, Municipal Corporations sec. 22, states the law as follows:— "The same ground which admits of compulsory incorporation of public corporations, namely the nature of the charter or statute as a mere measure of constructive government containing no element of contract, supports amendment of the act of incorporation, and even the repeal thereof, without the consent of the inhabitants."

But Consul-General Seward says that the Regulations may be defended against alteration as being a contract between China and the foreign powers involved.

The argument that Consul-General Seward puts forward as supporting the theory of a contract, is, that "Properties have been bought, and moneys have been invested under them (the Regulations)". Ano "The comfort, convenience, health and good order fd a vast population are at stake."

This proposition will not be discussed from the technical standpoint of contracts, though it might be if necessary. But, did China make a contract for 20,537 foreigners to govern 620,401 of her people, they having no part nor lot in the government? Was not all that China did, to make a grant in kindness to a few foreigners living alone and together on her shores of powers that would enable them to have roads, and wharves, and order among themselves? Would it be in accord with the public policy of today to construe out of such a grant a contract for one thirtieth of the population to dominate and rule twenty nine-thirtieths?

Or, to look at it from another standpoint, as has been already suggested, is there not a very serious question as to whether the Land Regulations have been entered into "between the sovereignties involved", or whether they have not been made wholly and only by China? Can it be that any government has ever empowered any Consul or Minister to enter into any governmental scheme whereunder such governments may be bound by a majority vote of other nations? Is it not true that even the League of Nations, now in the making, calls for unanimous voting?

Or, assume that the foreign governments have so acted with China, what is the part that they have taken? Did not the entire grant of power for establishing the Municipality of necessity come from China?

An Extraneous System

Have not the foreign governments, if they have said or done anything at all, as governments, with reference to the Shanghai Municipality, only said, "we, with the permission of China, for the purpose of assisting our nationals, will by majority vote make laws for them which will be binding upon them, instead of,—or in addition to, their several national systems, so that the Consul when the national claims his exterritorial right to be tried under his own national law is to answer, you are to receive your rights under your national jurisprudence plus an additional system, made, it may be under the majority vote, by other nations than your own?" Is not this just another way of saying "you are relieved from answering to Chinese-made municipal law by exterritoriality, but you are required to answer to another system of law which may be made wholly by other nations than your own,—this being superimposed upon your national system'?" Is not this all that the foreign governments have agreed to do for their nationals under our Shanghai system? And is this compatible with exterritoriality? If incompatible, does there remain any contract which would prevent China doing what every sovereign claims as a fundamental right, controling her own municipalities?

Or, to look at it from another point of view, have our several Treaty Powers entered into a contract with China in which they have deliberately assumed the responsibility for governing 620,401 Chinese citizens on their own soil? Have they deliberately contracted to maintain a species of government that, without reference to the fitness or unfitness of any part of the Chinese to take part in their own government, requires them to pay taxes and yet in no way gives them a voice in their levy or disbursement? Have the American people bound themsleves by a contract thus to deal with the Chinese people on their own territory?

It appears, therefore, that

1. China is lord of the soil of Shanghai.

2. In the International Settlement neither any foreign nation nor the Municipality is attempting to assert sovereign rights antagonistic to the sovereignty of China.

3. That unless there be a contract right outstanding, China is at liberty to change the form of government of the Municipality and give her citizens relief if she desires so to do.

4. That there is no contract with foreign nations which would be an obstacle in the way of her doing this.

We have seen, then, that our form of government in the International Settlement is simply a Municipality, and not a sovereignty. The Laws of China, therefore, should and do cover the whole of the territory of Shanghai. Should we not then act only as a municipality, and not attempt to interfere with the sovereign powers of the state? There is no difficulty in concurrent jurisdiction for state and municipal government. In every American city, there are three full systems of laws in force,neither system in the least interfering with the other, but rather, on the other hand, each system being a source of help and strength to the other.There is, first,the system of Federal laws, which covers the whole of the United States. There is, second, the system of State or Commonwealth laws that covers the full extent of territory within the bounds of the state or territory. And, finally, there is the separate, distinct system of ordinances that covers all of the territory embraced within the bounds of each incorporated city. A Federal officer, with Federal warrant issued by a Federal authority under Federal law, enters the State of New York and the city of New York without leave or license from any State or municipal authority, and arrests a man who is alleged to have violated a criminal statute of the United States. Or the same Federal officer, with a civil writ issued by the Federal Courts, executes it in New York City without asking the State or city authorities if the act be agreeable to them. This operation of different systems of law for state and city over the same territory, frequently with concurrent jurisdiction as to arrest for the same crime, is common the world over. Any other condition would be intolerable. But it is not so in Shanghai.

China as A War Ally

When China, as an ally during the recent war, was attempting to perform an act which only a sovereign state many perform, namely, the registration of alien enemies, where was it that we found the authority to successfully oppose her in the effort to deal with her alien enemies in Shanghai? Where is the authority to be located for such an act of sovereignty, either in the Treaties or in any system of municipal law that is known? Such an act of high handed usurpation would only be submitted to by China, or any other self respecting state, under one condition, and that is, overpowering force on the side of the usurper. And that was the treatment that we accorded an ally on her own soil, in time of war, when she was trying in the utmost good faith to act with us.

Reference has already been made to the Press Laws. We recently undertook the making of such a system. These laws conflicted with the Provisional Constitution of China, the lord of the soil,—this constitution providing for freedom of speech and of the press. A statement from the American Minister was printed in advance of the meeting that was to act on these proposed laws, stating that they were contrary to American laws, and to the extent that they might affect American interests were unenforceable. At the meeting which was to act on the proposed laws, the Honorable Chairman, Judge of His British Majesty's Supreme Court in China, called the attention of the meeting to the fact that he and the Judge of the United States Court for China both agreed that the proposed laws were, in certain sections, contrary to both the laws of England and of the United States, and unenforceable so far as they might affect English or American rights, and that this information had been communicated to the proposers of the laws prior to the meeting. And yet, under all of these circumstances,we vote these very laws through, and insist on trying to make them applicable to English, and to American, and to Chinese interests in Shanghai,—thus, not only opposing the lord of the soil in whose domain we are with our laws, but aiming also to supersede the laws of England and of the United States as well. One wonders whither we are driving, and what is the meaning of it all.

Conditions are now different from what they were in Shanghai in the year 1845 when the first Land Regulations were granted by China.

Jesus, Historic Shanghai, p.37, tells us that in 1845 "Native domicile was interdicted within the settlement and future extension thereof."...

And Morse, The International Relations of the Chinese Empire, p.355, says:— "A year after the port was declared open, (1843), there were eleven firms, English and American, represented at Shanghai by 23 men, 2 Protestant missionaries, both English, and 1 official consul, the British, all occupying premises rented within the city. In 1847 the residents numbered 108, of whom 87 were English (10 married), 4 Parsee, and 17 American (3 married). In 1850 there were two official consulates, British and French (the United States being still represented by a merchant), with a staff of 6 in the two; the mercantile body numbered 119; there were 5 practising physicians; and the Protestant missionaries numbered 17. Fourteen of the 130 laymen, and 16 of the 17 missionaries, were married. With few exceptions these all lived within the limits of the English settlement, between the Honan Road and the river, except that the missionaries maintained their stations inside the city, while the American Church Mission had broken ground in Hongkew. In 1855, after the adoption of the land regulations of 1854, and at the close of the rebel occupation of the city, the total number of foreign residents had increased to a total of 243, including 30 Protestant missionaries (9 British and 21 American)."

Chinese refugees came into the settlement during the Taiping rebellion. Under stern measures they were driven out in 1855. Then on February 24th, 1855, it was agreed between the Taotai and the Treaty power consuls that: "Whereas, no Chinese subject can acquire land, or rent, or erect buildings within the foreign settlement, without having first obtained an authority under offical seal from the local authority, sanctioned by the consuls of the three Treaty Powers, it has been decided that the following course shall be observed by any Chinese desiring to rent ground or houses within the said limits: The Chinese subject to apply through his landord to the landord's consul, provide as sureties two wealthy householders, and enter into an undertaking that he will conform strictly to the land regulations, and contribute his share to any general assessments."

Restriction Proves Abortive

Jesus says, Historic Shanghai p. 102, after detailing the above arrangement quoted from Morse, that

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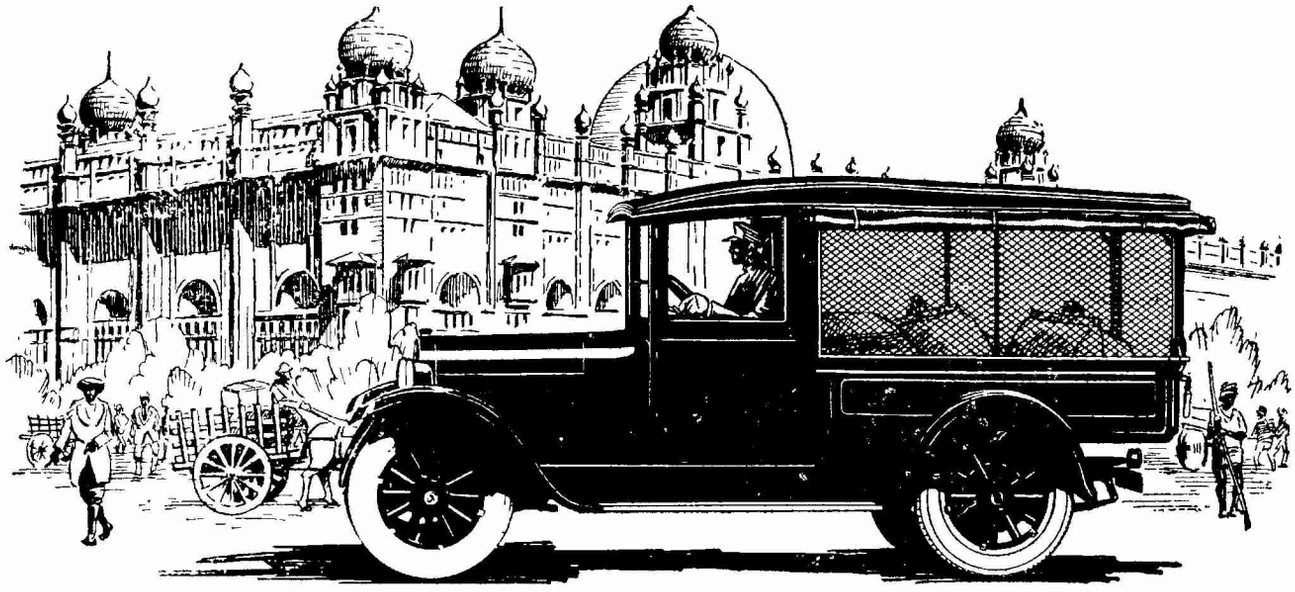
this plan of restricting the Chinese from coming into the settlement proved abortive, and that "One of the most influential residents was honest and outspoken enough to tell him (Sir Rutherford Alcock) the whole truth in the course of a conversation: 'No doubt your anticipations of future evil have a certain foundation, and, indeed, may be correct enough—though something may be urged on the other side, as to the advantages of having the Chinese mingled with us, and departing from the old Canton system of isolation,—but upon the whole, I agree with you. The day will probably come, when those who may be here will see abundant cause to regret what is now being done, in letting and sub-letting to Chinese. But in what way am I and my brother landholders and speculators concerned in this? You, as Her Majesty's consul, are around to look to national and permanent interests—that is your business. But it is my business to make a fortune with the least possible loss of time, by letting my land to Chinese, and building for them at thirty or forty per cent interest, if that is the best thing I can do with my money. In two or three years at farthest, I hope to realize a fortune and get away; and what can it matter to me, if all Shanghai disappear afterwards, in fire or flood? You must not expect men in my situation to condemn themselves to years of prolonged exile in an unhealthy climate for the benefit of posterity. We are money-making, practical men. Our business is to make money, as much and as fast as we can—and for this end, all modes and means are good which the law permits."

This quotation is given to show that the Chinese have come into the city as residents and citizens, after full discussion on the part of the foreigners, and with knowledge of the municipal problems that would be involved. They have come with the consent and upon the invitation of the foreigners, and their number now is large. The census of 1915 showed that the population of the International Settlement was, foreign, 20,537 and Chinese 620,401. They have made good citizens. They are quiet, peaceable, and thrifty. Inspection of the Financial Statement of the Settlement for the year ending December 31st 1918, gives some evidence of the taxes they pay into our city treasury. Payments of taxes under General Municipal Rate were; Foreign, Tls.652,635.87 and Chinese Tls. 992,-362.75. The larger part of the License Fees of Tls. 522,451.35 doubtless come from the Chinese, as well as the major part of the Rent of Municipal Properties (Markets) of Tls.109,302.18. How much land tax they pay does not appear, But perhaps it may be no exaggeration to say that of the wealth of Shanghai, the Chinese own two-thirds or three-fourths. And it is their presence in Shanghai that gives value to the property holdings of the foreigners,—whether such property be land, or holdings of the Water Company, or of the Tram System, or of our Electricity Department, or of other businesses. It is the fact that the Chinese are in the Settlement, that makes Shanghai a city.

The Old Land Regulations

So that, as it appears from the facts, when the Land Regulations were first granted in 1845, there were few foreigners and no Chinese to whom they applied. This was practically the condition in 1854, when the new set of regulations was applied for and granted, giving power to tax and also the police power. But since then, it is not militating against the financial interests of the foreigners, Chinese have come into the Settlement in large numbers. So that today, China is lord of the soil; her citizens are practically the whole of the population,—to speak accurately, approximately twenty-nine thirtieths of it; and they are believed to own the major part of the wealth and to pay the major part of the taxes of the city, And yet, Chinese citizens have neither representation on the Council, nor a single vote in the election of any of its members. If, under present conditions, China were asked to grant the present set of Land Regula, tions, so that 20,537 foreigners would govern 620,401 Chinese, tax their property and spend the money so received without giving them a voice or hearing in the matter,—do we think that they would, or should, be granted?

The writer disclaims any thought of inveighing against our foreign municipality of the past. There has been a situation during these years that was difficult to handle, and the men and women who lived and built in those days, both Chinese and foreigners, tried to meet those difficulties in a way that seemed right, and seemed to hold promise of adequate results. And we have a great city. But, as has been pointed out, conditions are wholly different today from what they were in 1845. And whatever others may think about it, the writer is trying to think out what is right under present circumstances both for the foreigner and for the Chinese. And to him it would not seem strange if the Chinese tried to better their status here. He believes that they ought to try,—unless relief is given them, and that only "pressure", not right, could prevent their succeeding.



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42-373

The New Split Between Hankow And Nanking

BY J. B. P.

The Nanking and Hankow factions of the Kuomintang, including military elements attached to the two groups, apparently have decided to resort to arms as a means of settling their differences. On October 21 the Nanking Government issued a proclamation ordering a punitive expedition against Gen. Tang Shen-tse, chief military supporter of the Wu-han Government, and at the same time stripped Gen. Tang of all his military honors and official positions and summoned him to appear before the Military Council for trial. The charges against Gen. Tang are that he is supporting the Communist elements and has been secretly negotiating for an alliance with Marshal Chang Tso-ling the Fengtien militarist. In addition Tang is accused of supporting the militarist Gen. Chin Yun-ao, who recently rebelled against Feng-Yu-hsiang in Honan province, but who later was defeated and driven out by Feng.

Only Minor Military Clash Thus Far

Simultaneously with the issuance of the foregoing manifesto, the Nanking Government dispatched the 6th, 7th and 33rd armies into Anhwei and by a surprise attack forced the evacuation of Gen. Liu Shin's (subordinate of Tang Shen-tse) forces from the town of Wuhu which place has since been occupied by the Nanking forces. Anking, the capital of Anhwei province, is still being held by Tang Shen-tse's troops.

The inside story of the sudden decision of Nanking to attack Hankow is not yet known, for it had just been announced that the differences between the two groups which developed following the "Kuomintang Reorganization" Conference in Nanking which was held early in September had been settled. It will be remembered that immediately following the Nanking meeting, Wang Ching-wei, president of the Central Executive Committee of the Kuomintang, had resigned on the grounds that the "Central Special Committee" which had been set up in place of the Central Executive Committee, was illegal. Immediately following his resignation, Mr. Wang went to Kuling in Kiangsi province where he met with emissaries from Hankow and Nanking, both sides soliciting his support and allegience. The Nanking Government, however continued to carry Mr. Wang's name on the Government committee, hoping that he might finally be induced to return. Wang's chief objection, according to report, was the incorporation in the Nanking Government of several "right" members of the Kuomintang, known as the "Western Hills" group which had left the party about two years ago when the Communists were admitted. Wang Ching-wei is not, of course, a Communist, but is supposed to favor the theory of a social-labor revolution. Still another element in the Kuomintang which had refused to cooperate was the so-called Sun Yat-sen "family group," consisting of Madame Sun Yat-sen, T. V. Soong and others. Sun Fo, the son of Dr. Sun Yat-sen, however, did cooperate and finally was appointed Minister of Finance in the Nanking Government, a position which he still holds.

Gen. Tang Shen-tse, Military Leader of the Wu-han Faction of the Kuomintang, Who Is Now the Special Object of Animosity of the Nanking Faction, Which Is Trying To Exterminate Him.

C. C. Wu and Sun Fo Work for Conciliation

Immediately after the Nanking "unification" conference, Gen. Tang Shen-tse, the Wu-han military leader, sent his troops into Anhwei province and occupied the town of Wuhu, which is less than 100 miles westward of Nanking, which brought him within striking distance of Nanking. In addition to this Gen. Tang is said to have moved his troops northward through Anhwei to the vicinity of the junction point between Kiangsu, Anhwei and Shantung province where he is alleged to have established contact with the forces of Generals Sun Chuan-fang and Chang Chung-chang, the Northern military allies of Marshal Chang Tso-ling. In an effort to prevent a clash, Dr. C. C. Wu, Minister of Foreign Affairs and Sun Fo, Minister of Finance of the Nanking Government hurried to Hankow where in company with Wang Ching-wei they conferred with Gen. Tang Shen-tse and members of the Central Executive Committee of the Wu-han Government. Upon their return to Nanking Messrs. Wu and Sun announced that the differences which had existed between the two factions had been settled and immediately there was issued a call for Fourth Plenary Session of the Central Committees of the Kuomintang and the Nationalist Government, the meeting to be held in Nanking.

What happened after this is still obscure. It is reported that the meeting in Hankow which was attended by C. C. Wu, Sun Fo, Wang Ching-wei, Tang Shen-tse and other members of the Wu-han Kuomintang had drafted a set of resolutions for the consideration of the Nanking Government. According to report, these resolutions received the approval of Nanking and immediately an invitation was issued to Wang Ching-wei to return to Nanking and resume his duties preparatory to the general conference on November 1 But something happened; Wang delayed his coming and then come the Nanking denunciation of Gen. Tang Shen-tse and the charges that he had been negotiating with Marshal Chang Tso-ling for an alliance against the Nanking Government and Feng Yu-hsiang. In the meantime the Wu-han Central Executive Committee of the Kuomintang has retaliated with a denunciation of Nanking and the meeting which was scheduled for November 1 is off for the present at least.

Both Sides Bidding for Canton's Support

Both Hankow and Nanking are now bidding for the support of Canton, an obviously important factor in the Kuomintang and the Nationalist Party, but up to the present it is impossible to determine the outcome. Gen. Chang Fa-kwei, who was formerly with the Wu-han Government, and a close friend of Wang Ching-wei, has now returned to Canton and is trying to dislodge Gen. Li Chi-sum, an appointee of Gen. Chiang Kai-shek. Gen. Li is a supporter of the Nanking faction and is said to have a military force in Kwangtung province practically equal to the forces of Gen. Chang Fa-kwei, who is now probably on the Hankow side of the squabble. Canton is thus, for the present at least, prevented from joining with either Hankow or Nanking and probably will remain neutral, which means that neither side will be able to obtain any revenues from that section.

Northern War Also Deadlocked

The sudden split and decision to resort to armed force on the part of Hankow and Nanking has prevented the Nationalists from going to the assistance of Feng Yu-hsiang and Yen Hsi-shan in their war against Marshal Chang Tso-ling. According to reports early this week practically all of the forces which were sent across the Yangtsze from Nanking last week to participate in the Northern campaign, have now been diverted into Anhwei for the purpose of attacking Gen. Tang Shen-tse in Anhwei and later on in Hupeh. In the meantime the fighting in the North has come to a standstill with the forces of Gen. Yen Hsi-shan retreating back into Shansi province where they are more or less secure against attack by Fengtien. The only fighting of consequence recently in that sector has been between the troops of Feng Yu-hsiang in northern Honan where they are meeting the Fengtien troops

and in eastern Honan where they are meeting the Chihli-Shantung troops under Generals Chang Chung-chang and Sun Chuan-fang. The report two weeks ago that Sun Chuan-fang had evacuated Pengpu in Anhwei province, apparently was not correct, for later news states he is still holding that place. The objective of Chang Tso-ling and his allies in Shantung, is to drive Feng Yu-hsiang out of eastern and northern Honan and back to Loyang; later on they hope to drive Feng back into Shensi and Kansu provinces, but this remains for the future to decide.

Nanking Hopes for Wu-han Break-up

The Nanking Government is hoping for a break-up in the military ranks of Gen. Tang Shen-tse, which is the explanation for the fact that Nanking's denunciation was addressed to Gen. Tang Shen-tse personally and not to the Wu-han Government. The *Kuo Min* news agency, the official organ of the Nanking Government, on Monday, Oct. 24 expressed the hope that Generals Ho Chien and Tang Mong of the Wu-han faction would break with Gen. Tang and join the Nanking group, the three chief military supporters of which are Generals Bei Tsung-chi, Li Tsung-jen and Ho Yin-chin.

Men and Events

Thomas W. Lamont, American financier, sailed on his return journey to the United States from Japan end of last week. He did not visit China.

A suit for libel brought by Dr. William Downs, Shanghai dentist, against *The China Press* has been set for trial at the U. S. Court for China November 2.

George A. Arbogast, Far Eastern representative of the American Machine & Foundry Co., returned from a short business trip to Manila end of last week.

John M. Hykes, well known Shanghai business man, who left for a trip to the United States about four months ago, is expected back in Shanghai November 4

Dr. Wu Lien-teh, head of the Manchuria plague prevention bureau, was in Shanghai during the week enroute to Calcutta to attend three medical conferences.

H. E. Page, general manager of the China General Edison Company, manufacturers of electric light globes, has returned to Shanghai from an extended visit to the home office of the Company in Schenectady, N. Y.

Admiral Mark L. Bristol, commander of the U. S. Asiatic fleet, as the guest of honor at the tiffin of the Pan-Pacific Association at the Union Club, Shanghai, October 25, spoke on present-day conditions in Turkey and the changes which have taken place since the overthrow of the monarchy and the establishment of the republic.

Pirates in Bias Bay (South China) October 19 took possession of the China Merchants steamer *Irene*, and failing to halt when ordered by a pursuing British submarine, the vessel was hit by a shell, as a result of which it later sank. An interesting question in insurance liability is raised by the incident.

Dr. Soumay Tcheng, according to announcement on October 25 has announced her resignation from the Kiangsu Provincial Government. Her resignation states that she accepted the appointment as a member of the Government because of her deep loyalty to the Kuomintang and the country, but now that the political outlook has grown brighter and many capable men have come to the front, she feels that because of her health, she must resign.

The British Peninsular and Oriental steamship line has precipitated a violent controversy by taking cargo from Japan ports for Dairen, which is the old port of Dalny, captured from the Russians by the Japanese during the Russo-Japanese war. It is technically in Chinese territory. The Japanese shipping companies, particularly the Nippon Yusen Kaisha, have entered a protest on the ground that the British shipping company is violating the "coastwise shipping laws."

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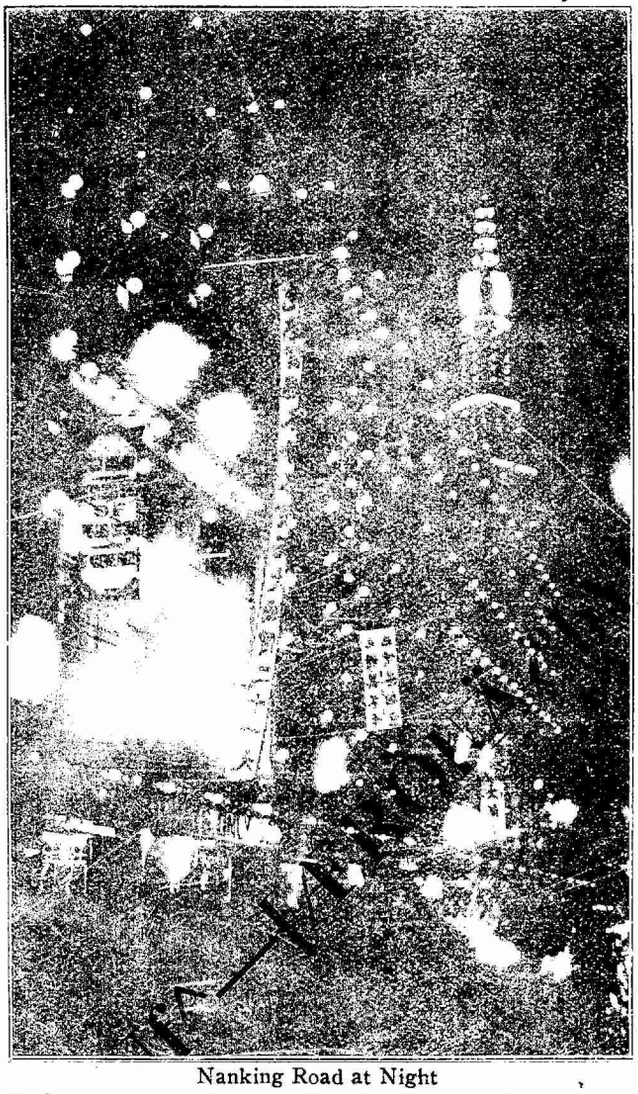
An Analysis of the International Settlement

(Continued from page 24)

Quite recently, action taken by the Council might have had serious consequences elsewhere. On its own authority, and without having obtained any permission from the Consular Body, it placed an armed guard around the Consulate of the Union of Socialist Soviet Republics within the Settlement and conducted a search of all persons entering or leaving. The action was avowed to be for the purpose of protecting the Consulate against violence, though the measures taken did not clearly serve such a purpose; and it was doubtless mere chance that the guard was at first largely composed of paid White Russians and later until protest was made of American members of the Volunteer Corps.

It seems possible to say, in summary, that the Settlement is well organized, and modernly and



Nanking Road at Night

efficiently administered. But it is not administered in behalf of the ninety-five per cent majority of the population which pays not less than sixty per cent of the taxes, so much as in behalf of the four per cent minority which pays not forty per cent of the taxes, Its boundaries are artificial and outgrown, but their extension is opposed and the control of roads outside is the Council's way of meeting its needs. In this and other ways the Council has power to prejudice interests of foreign gorernments which exercise no immediate control of its action.

The French Concession

Across the Avenue Edouard VII, once the Yang-King-Pang, the situation is somewhat different. Since the failure of the 1844 attempt at amalgamation, the French Concession has had a separate government. The census taken in 1925 gave the Concession a population of 297,072, of whom 289,262 were Chinese and 1780 or less than three per cent were foreigners of thirty-three different nationalities. Only 892 were of French nationality, while 2312 were British, 1404 were Russians and 1151 were Americans. The population has more than trebled since 1900, and it has almost doubled since 1915.

The *Reglement d'Organisation Municipale* adopted in 1868 has now been replaced by a new *Reglement* promulgated by the French Consul-General on January 15, 1927. The latter provides for a municipal council of fourteen members, of whom the foriegn rate-payers are to elect four French members and four members of other nationality and divided among three different nationalities, and the Consul General is to appoint three French members and three Chinese members. This council has more limited powers than those of the Municipal Council in the International Settlement. Subject to the French representative at Peking, the Consul General may refuse to promulgate its decisions affecting the public order and administration of the Concession, and no decision is valid until promulgated by him. He may even suspend the Council for three months, or in time of foreign or civil war or when the security of the Concession is in jeopardy for the period of the duration of such exigency,. Early in January, 1927, the Consul General exercised such power, conferred by the former *Reglement*, and "on account of the general situation" deferred the election of successors to the council members whose terms expired on January 23, 1927. He there upon created a provisional commission of administration of sixteen members, eight of whom are French, five Chinese, one American, one British and one Swiss. This commission entered into its functions on January 17, 1917.

Explanation of the Difference

The French administration rests very largely with the Consul-General and his associates. In some respects it may have been less efficient than that in the International Settlement. Its annual *compte-rendu* is less complete than the annual report of the Municipal Council, though fuller reports of minutes seem to be published. The Chinese residents seem to be taxed fully as much if not more than the Settlement, Perhaps some of the services are at times less well organized. But there has been a marked difference in the attitude of the local Chinese population toward the two administrations. A much more accommodating policy seems to have been followed in the French Concession, and the same problems have been met in a different spirit. For instance. two Ceinese have served on the council though in a somewhat consultative capacity for several years, and under some restrictions Chinese are admitted to the public park, It has therefore proved less difficult for the boundaries of the Concession to be extended, and they were extended in 1914 when a similar effort in the International Settlement failed. Even while there were outstanding problems between China and France, such as the recent gold franc problem, there seems to have been less hostility to the Concession than to the Settlement. Perhaps there would have been more hostility to the former if the latter had not existed, however.

On the whole, the residents of the French Concession have not suffered from mal-administration. Its government has been easily adapted to meeting changes in the situation, and in recent years at any rate it has not encountered hostility from the Chiness.

Perhaps the different situations in the International Settlement and the French Concession are due

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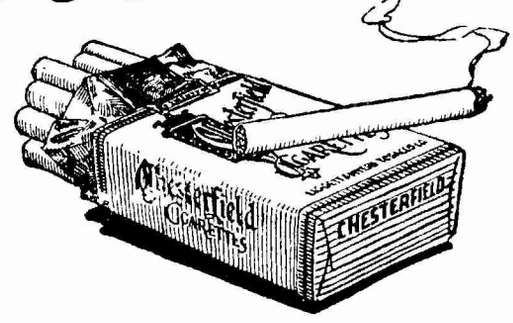

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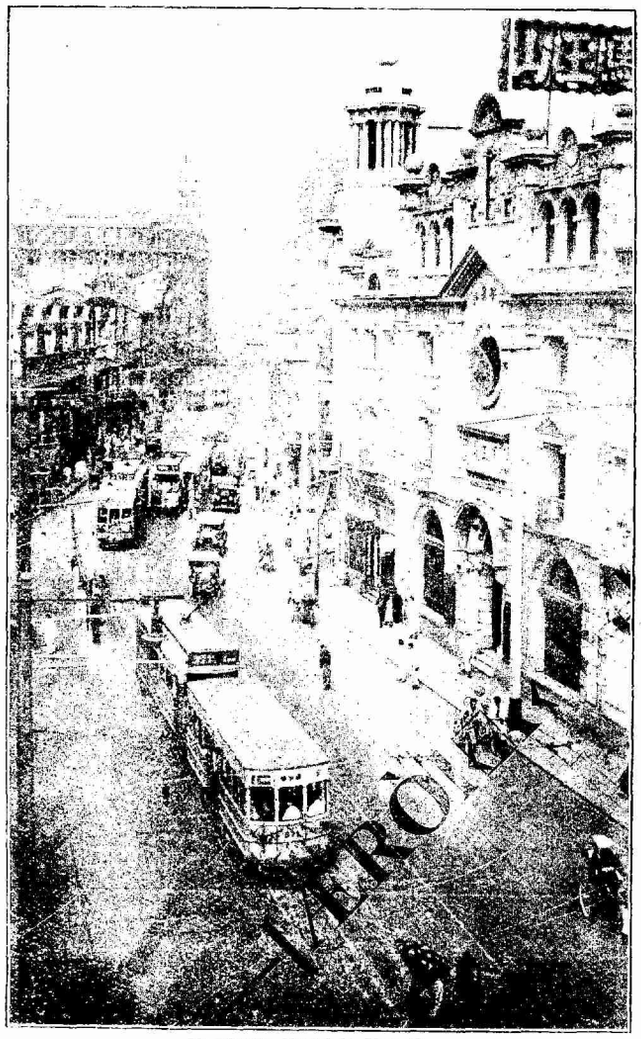
in some measure to differences inherent in international and national administration. It has proved difficult to alter the *status quo* in the International Settlement. The Land Regulations are long out of date. The form of the government is archaic. The power lodged in an irresponsible group of rate-payers, frequently dominated by a faction, continues because of the difficulty of getting agreement among the representatives of fifteen, formerly eighteen, Powers whose assent is made necessary by the existence of the regime of exterritoriality. Such agreement must exist not only in the Consular Body at Shanghai but also in the Diplomatic Corps at Peking. To some of the Foreign Offices to which these bodies are responsible, the problems of the Settlement cannot have much importance. When they do receive attention, a government with but slight interest is tempted to try to hold all



Nanking Road in Daytime

the power it has. One such government was recently quite reluctant to agree to the rendition of the Mixed Court, effected finally in spite of its opposition. That tendency is only increased by the existence of exterritoriality.

Quite as significant, however, is the zeal with which the local community of foreigners attempts to retain its semi-independent position. Aside from the missionaries for whom Shanghai serves as a sort of base, this community is largely composed of people engaged in trade and in the business incidental to the affairs of a large trading center. They are easily led to assume intransigent positions on local problems where Chinese interests are involved, as evidenced by their delay in seeking Chinese participation on the Council and their refusal to admit Chinese to the parks. They are jealous guardians of the privileges connected with exterritoriality. Their intransigence extends also to efforts of their governments to promote peace with China. This disposition may have been accentuated recently by the fact that the British have somewhat illogically borne the brunt of Chinese opposition. The leading British newspaper in Shanghai, the *North China Daily News*, has conducted a persistent campaign against the British Government's policy in China. It denounced the British declaration of policy of last December as "showing of the white feather", and the British memorandum in January as an "offer of surrender" and a "graceful gesture that led to the great betrayal". The American Chamber of Commerce memorialized America to join in "unified action by the Powers to suppress disorder" in all of China, for "a protective policy applying to Shanghai alone will not enable China to put its house in order", and when this effort had apparently failed it attempted to oust from membership the only independent journal in Shanghai, the *China Weekly Review*.

Such opinion would be negligible if its influence were confined to the foreign community of Shanghai. But unfortunately it helps to embitter the Chinese. Leaders of moderate opinion among the Chinese have to cope with continuous goading by the foreign press. Reporting on the incident of May 30, 1925, Judge E. Finley Johnson, now acting Chief Justice of the Supreme Court of the Philippines, said that "the foreigners in China have failed to take into account the principles of liberty and independence which they themselves have spread abroad throughout China".

The Future of the Settlement

Presented with a *tabula rasa*, one would envisage a very different local government at Shanghai. The large commercial center needs a kind of government which might be unsuitable for other Chinese communities The interests of the Chinese and of the foreigners are not in conflict. The two groups have united in building much of the city; their commercial relations are intimate; theire desire for a peace and order which will stimulate and protect their trade is common. Whatever social distinctions are made, the two groups cannot be segretated in business. Organizors in both depend upon Chinese labor, and the living of the foreigners would be on a very different scale if there were no Chinese servants at their command. In spite of the past organization, the two groups form one community.

Nor is there great difference among the foreigners themselves. The Japanese and Russians are the most numerous groups, but it is only in recent years that this so. The Russians now have little voice, partly because many of them are unrecognized by the soviet union and partly because it has given up exterritoriality. The local interests of the British predominate, and aside from their historical role they would be entitled to a large share in the control. But the American, Portugese and German communities are also numerous and their possessions are extensive. The French community has not greater interests, and a French claim to a separate concession would be difficult to justify. It seems doubtful whether the French Government would think the assumption of such a responsibility were warranted if the concession did not already exist. All of the foreigners have a common interest in the local prosperity of Shanghai.

Not only would the foreign areas be amalgamated, in a *de novo* arrangement, but the special organization would not be restricted to the present foreign areas.

It would include also Nantao, the city, Chapei, Pootung, and for the consolidation of the port administration it might take in Woosung. The needs of the whole community might better be met if some of the surrounding areas, particularly roads, were also included—if Greater Shanghai were united.

A Greater Shanghai

The government of such a district would be conducted in the interests of all its residents, and of course the Chinese would have a large share in its control. It might be in some respects subject to the provincial Chinese authorities. Certainly the present exemption from Chinese taxes—not merely of foreigners but also of Chinese—would never be instituted. Instead of a Provisional Court, justice would be administered in a Chinese court which though special might be a part of the national judicial system; and from the point of view of the Chinese themselves, foreign judges, appointed and paid by the Chinese Government, might be much more satisfactory than consular officers or deputies. A council and an administration in which Chinese and foreigners cooperated would be devised, and it ought to prove possible to adjust the percentage in such a way that Chinese susceptibilities would not be outraged and foreign interests would not be neglected. If the district were removed by neutralization from Chinse military operations, it would likewise be agreed that foreign Powers would not use it as a base for operations in China, as they are now doing. All of these arrangements might be effected without much trouble about the dogma of sovereignty, which as often serves as an excuse as a reason.

But the history of the last three quarters of a century has not left a *tabula rasa*, and though its outlines might well serve as guides such a program is not likely to be attempted. If the Chinese demand for complete restoration to Chinese control is maintained as to the French Concession, it will probably be reduced as to the International Settlement. Agreement on a new set of Land Regulations would be reached only with difficulty, though it is clearly desirable that such an archaic structure should be remodelled. In any event, the demand for large Chinese representation in the Municipal Council will probably be maintained, and it should be met by the Powers. The three representative which have been "granted" are not enough. In the long run, it might prove the wiser course to give the Chinese a majority, and begin the gradual Chinafication of the municipal services. The extension of the boundaries would then be easily effected. If the compromise of equal representation of Chinese and foreigners is agreed to, the method of choosing a chairman will still give difficulty. In any scheme, the Powers ought to divest themselves of all responsibility for what their nationals on the Council may do. This can be better accomplished if a modern Chinese Court, composed partly of foreign judges, be created to replace the Provisional Court, and as a consequence consular jurisdiction be greatly reduced.

But radical changes will probably not be graciously assented to by the Powers. It is discouraging to think that if China were a strong military Power, events would take a different course.

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Marshal Feng Yu-Hsiang and the Kuominchun

(*Continued from page 39*)

any country which was ready to forego its treaties would be considered as China's real friend. Our friendliness toward Russia has displeased the northern militarists and some of the imperialist powers, and to vent their spleen they label Feng red, for that is the best and easiest way to make people antagonize him and to damage his power. This Bolshevist bogy has been overworked and the anti-Bolshevist banner which Chang Tso-lin has hoisted can no longer put dust in the eyes of the people. In fact, it is becoming more and more ridiculons.

Feng's Political Principles

Finally I must say a word or two about the political principles which Feng has consistently followed. Suffice it to say that Feng's political program is that of the Three Principles of Dr. Sun Yat Sen. It is his firm conviction that only through carrying out the Three Principles that China can be emancipated from the imperialist yoke and the well-being of her people enhanced. To this end he dedicates himself and his army. He believes that one of the greatest obstacles in the way of overthrowing the imperialist system is the militarists who for their self-interest stoop to the low level of becoming willing tools of some of the imperialist powers. Unless these reactionary and counter-revolutionary influences are eradicated, China can never hope to overthrow the foreign yoke and to emerge as an independent country. That's why Feng bends all his efforts to prosecute the war against Chang Tso-lin and Company. From the first, he did everything in his power to induce the Wuchang and Nanking leaders to compose their differences in order to put up a united front against the northern militarists. Since Wuhan had declared against communism and taken measures to eliminate the red elements he persuaded the Nanking leaders to forget the past and come to terms with the former. Likewise, when he was approached by the Wuhan government to side with them against Nanking, Feng politely reminded them that at any rate Chiang Kai-shek was better than Chang Tso-lin. His position is clear. He can never stand seeing fellow-members of the Kuomintang party fighting among themselves. Their split only creates opportunities for Chang Tso-lin to recoup his shattered position. To crush Chang Tso-lin, he will never stop at any sacrifice, but he would never consent to spill the blood of one single soldier for any senseless party strifes. Were it not for this split Peking would have been reached long ago, many lives would have been spared and the counter-revolutionaries would not have a new lease of life. However, it is not too late to mend matters. The Nationalist movement has taken deep root and no amount of reactionary influences can stay its progress and no amount of imperialist aid can stem the tide of the popular will. Temporarily, they might check the tide here and there, but only to find that the current will revive and react with greater force.

U. S. Provides for New Cosnsular Buildings at Shanghai and Mukden

According to a Washington dispatch appearing in the *Japan Advertiser* on October 20, the Foreign Service Building Commission, of which Hon. Stephen G. Porter is chairman, has approved the appropriation of G. $750,000 for a new American Government building at Shanghai and G. $75,000 for a similar building to be constructed in Mukden. The report also stated that an appropriation had been approved for a new Embassy building and apartment house in Tokyo to house the government offices and provide residences for Embassy clerks, the same to cost G; $1,250,000. The architectural designs for the Tokyo buildings were the work of H. Van Buren Magonigle of Now York and Antonin Raymond of Tokyo.

A Modern Chinese Silk Hosiery Factory

TO be able to buy sheer chiffon, full-fashioned silk hosiery manufactured in China, has aroused much interest among the female members of the Chinese and foreign communities lately. Mrs. M. C. Chan, wife of the owner and managing director, of the Foot-Ease Hosiery Company, is manager of the Full-Fashioned Knitting Department where the hosiery is manufactured, which is a new innovation in the industrial mills of China.

Mrs. Chan has made a careful study of the textile industry in America and Europe, having graduated from the New Bedford Textile School of Massachusetts in 1922. She first went to America in 1913 with her husband, who entered the New York College of Commerce, when she entered the Chevy Chase Seminary at Washington D. C. to pursue her education in English. Following the establishment of the Foot-Ease Hosiery Mill in Shanghai in 1917 by Mr. Chan, Mrs. Chan became interested in the textile business and returned to America to study business conditions and trade in factories, both in America and England. She worked in the manufacturing mills and learned first hand the methods employed in these large factories, whose output of goods is on such a large scale.

She did not limit herself to the manufacturing trade solely but also made a close study of welfare work among the employees and has since applied her observations to her own factory in Shanghai. The result of her work was shown during the strike period in Shanghai several months ago, as the Foot Ease Hosiery Mill was running full time and no protests were made on the part of the 500 employees, including men and women, which showed close cooperation between employer and employee.

Mrs. Chan's Activities

She is Chairman of the Advisory Committee of the mill, principal of the mill's school and head of the embroidery and fancy works department. In addition to these daily duties Mrs. Chan is the mother of four children.

Needless to say on a trip through a hosiery mill one can readily see the manufacture of a sheer pair of hose is a complicated and delicate procedure. Unusual care is taken from the buying of the silk from the silk filatures,the chemical treatment before it is wound into threads, the doubling and twisting of the silk to be wound on suitable spools to the final process of stamping the size and color and packing, all attended to by experienced girls. Each pair of hose turned out is inspected for flaws which may occur in the dyeing or handling.

The factory is located in 2612 East Yuhang Road, Hongkew, and is capitalized at Tls. 500,000. Mr. M. C. Chan is the owner and managing director, while Mr. Y. L. Tong, is the manager. Mr. Tong also had training and actual experience in the textile business in America and Germany. The factory is equipped with 100 knitting machines, a complete set of full-fashioned machinery for the manufacture of the chiffon quality hosiery. All the machines are driven by electric power. The annual output for last year was 65,000 dozen cotton hosiery and 40,000 dozen silk hosiery. Seventy percent of the total output is exported to foreign countries. The trade marks used by the company are: "Foot Ease," "Tea Rose" "Champion" and "Five Stars." The business was established in 1917 as a private entre-

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EXCELSIOR BARBER SHOP

P 364 Nanking Road

High Class Hair Dressing Saloon for Chinese Gentlemen and Ladies

Manager, M. H. Wong

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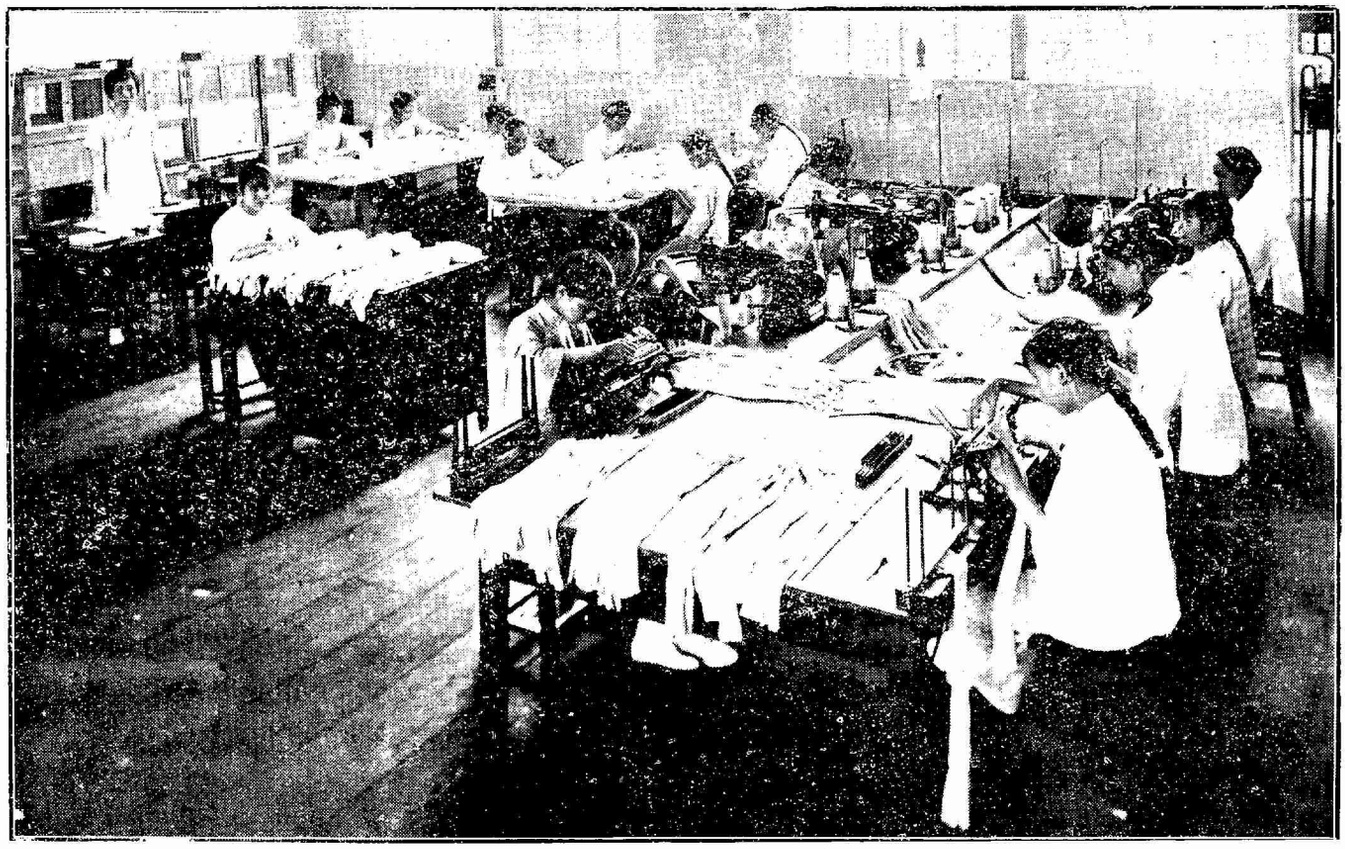
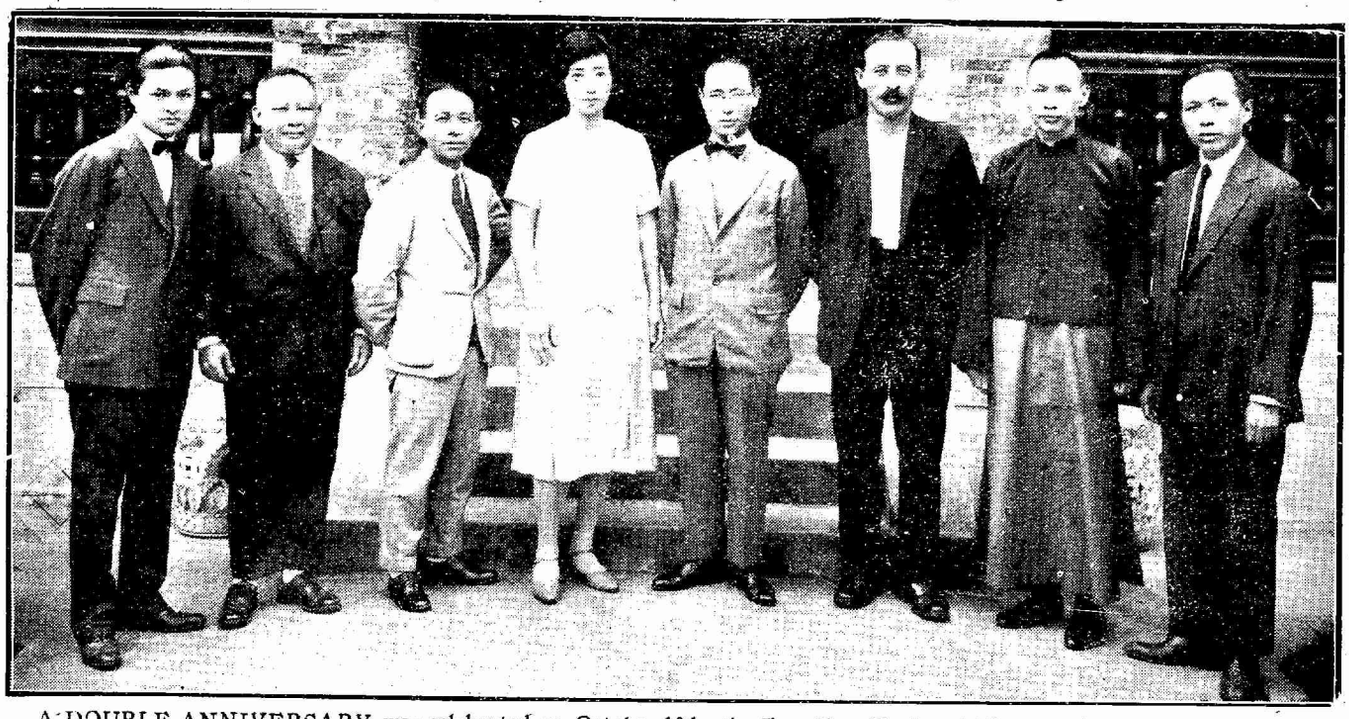


China, the Home of Silk, Adopts Western Methods and Machinery in the Production of Silk Hosiery. This is a View of One of the Processes in the Production of "Foot-Ease" Hosiery in a Modern Mill in Shanghai. Mrs. M. C. Chan, the Wife of the Proprietor of the Factory Is Standing at the Table at the Left.

prise with a capital of Taels 50,000 but when incorporated the capital was increased.

The need for well-fitted Chinese silk hosiery has long been felt in China, for the durability of the quality is unexcelled by imported stockings. With the American full-fashioned machinery used in the Foot-Ease factory it is now possible to buy any weight stocking in the most delicate and fashionable shades obtainable on any foreign market — with double heels, "straight" or "pointex".



A DOUBLE ANNIVERSARY was celebrated on October 10 by the Foot East Hosiery Mill at the residence of Mr. M. C. Chan, owner of the mill. Left to right: K. Y. Wong, treasurer, Shanghai College; M. Y. Chung, chief accountant, Yale University Graduate; Y. L. Tong, manager, Columbia University Graduate; Mrs. M. C. Chan, associate manager, New Bedford Textile School Graduate; M. C. Chan, managing director, New York School of Commerce Graduate; E. Frohbert, hosiery knitting expert; L. S. Kwok, assistant manager; M. B. Wong, factory superintendent, Valparaiso University Graduate.

INCREASE IN SUBSCRIPTION PRICE

Effective on January 1, 1928

Owing to increased cost of production and decrease in advertising revenues incidental to depressed business conditions, THE CHINA WEEKLY REVIEW is forced to announce an increase in the subscription rate from Mex. $10 a year to Mex. $12 a year, including postage, for all subscribers residing within China.

For subscribers residing outside of China the rate will be increased from G. $7.50 a year to G. $10 a year, including postage, (in figuring exchange, count Mex. $2 for G. $1.)

The New Rates In Detail

Local, China Outp rts, Japan & Dairen

1 Year	½ Year	¼ Year	Cash Sales
Mex. $12.00	Mex. $7.00	Mex. $4.00	Mex. 40 Cts. per copy

United States, Philippines, Europe, Singapore, Russia, etc.

1 Year	½ Year	¼ Year
G. $10.00	G. $5.50	G. $3.00 (U. S. Currency)

SPECIAL OFFER

Since the new rates will not become effective until January 1, 1928, subscribers desiring to renew their subscriptions prior to January 1, may do so at the old rates of Mex. $10, for subscribers residing in China, and G.$7.50 for those residing abroad.

Those desiring to avail themselves of the foregoing offer are urged to use the attached blank form:

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Subscription Department
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Please renew my subscription which expires.....1928 for another year. My check for.....is enclosed.

Signed.....

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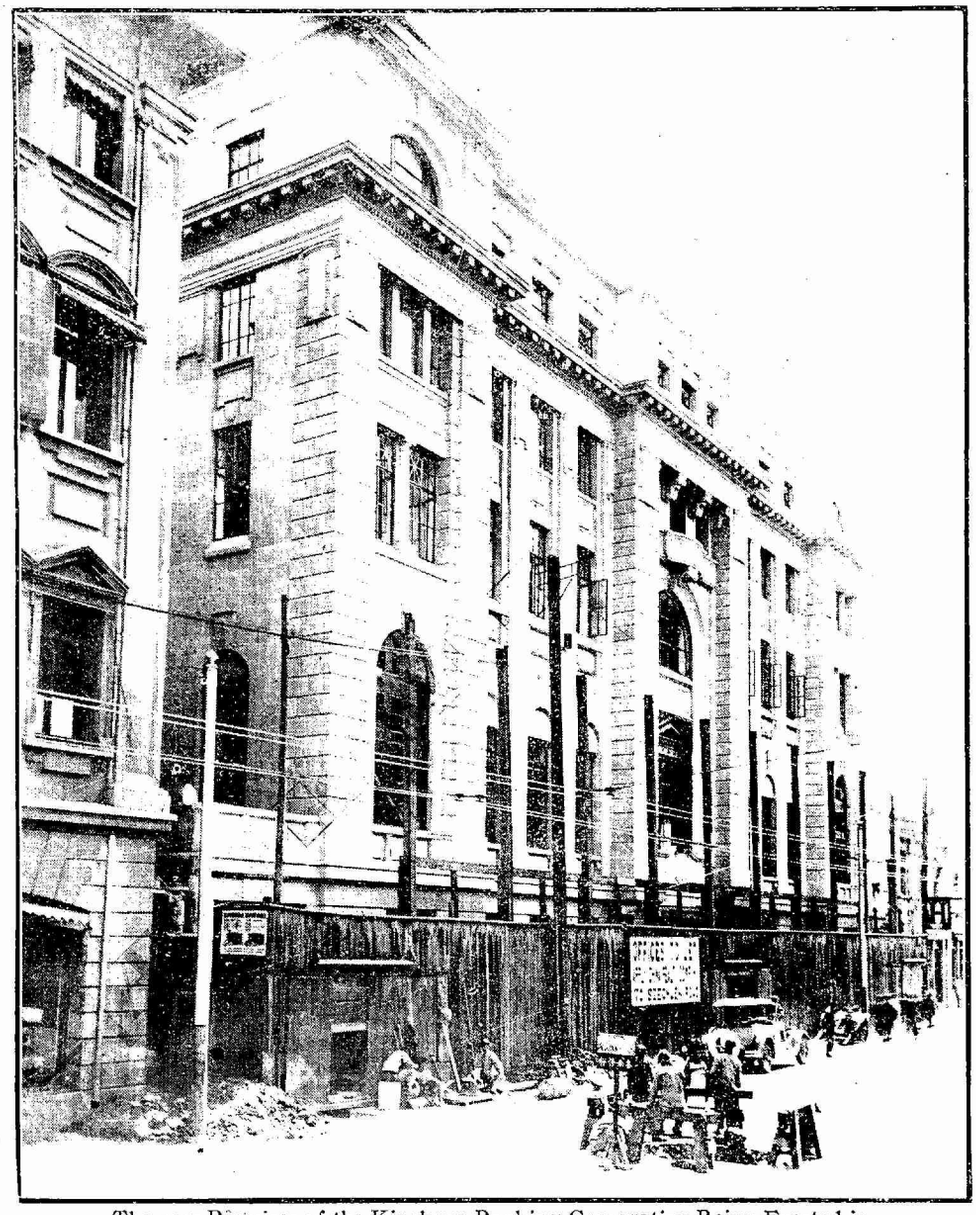
The New Premises of the Kincheng Banking Corporation

OPPOSITE the Municipal Buildings in Kiangse Road, Shanghai, there is in course of erection a modern five-story bank building which is a great credit not only to the Chinese banking fraternity, but also to the skill of its American-educated Chinese architect, Mr. T. Chuang. (B. S. 1914 University of Illinois.) This new building is being erected by the Kincheng Banking Corporation, which at present occupies premises at P476 Nanking Road. The Kincheng bank is one of a group of four Chinese banks which have pooled their reserves for mutual strength, although quite independent in other respects. The three other banks in the group are China South Seas the Yien Yeh, and the Continental. The firstmentioned is the only one of the group issuing notes.



The new Premises of the Kincheng Banking Corporation Being Erected in Kiangse Road, opposite the Shanghai Municipal Building.

The new premises of the Kincheng bank in Kiangse Road are rapidly nearing completion and it is expected that the fifth floor, which is to be occupied by the Customs Club, will be ready for occupancy some time in November. Only the two lower floors are to be used exclusively for banking operations, the intervening floors being used as quarters for the staff, for storage, and for general purposes. The bank proper will be completed about the end of this year. The new building occupies between fourteen and fifteen thousand square feet in area, the height to the roof being 85 feet. There are five main floors and a mezzanine. The total cost of construction, including incidental equipment, will be about a million dollars.

The architect in his plan of the building has followed American ideas throughout and everything is of the latest and most approved design. The structure is reinforced concrete, with a facing of Soochow granite. Entrance to the main banking floor is had by a grand marble stair-case, in the finishing of which many different kinds of marble, all imported from Italy, are being used. At the head of the stair-case is the public safety deposit vault, the largest and most solidly constructed to be found in any bank in China.

A particularly fine feature of the new Kincheng bank building is the ventilating, heating and cooling system. The ventilating ducts are built inside the walls and from the various openings cold air will be emitted in summer and warm air in winter. In its general principles the "manufacturing" of the cool air is the same as in an ice plant. Ammonia is compressed and circulated through pipes and as a result a large coil of brine is brought to freezing temperature. The coil is located at the rear of the building on a balcony in the open air and the cool air created by this apparatus is blown by huge fans on the exhaust system. These fans help to keep the air in circulation and also remove the foul air. The heating system is a "double barreled" one, as in addition to the blowing of heated air through the ducts there is installed a standard hot water radiator system. The radiators are placed in recesses in the walls, which are covered with grilles. The precautions against fire are of the best, one of the features being an automatic fire trap.

A private automatic telephone exchange is being installed, quite independent of the Mutual Telephone Company's system, although there will naturally, be connection with the public service, as well. Following the very prevalent custom used in public buildings in America, the Kincheng bank is

(Continued on page 97)

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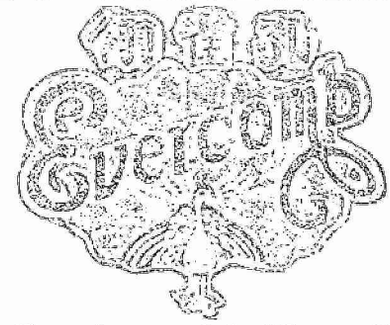

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Manufacturers of Paints, Varnish, Dry Colors, etc.

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FOOT EASE

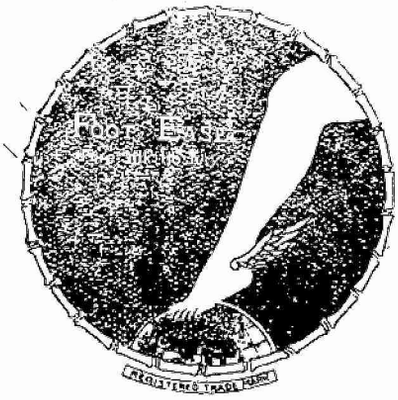
PURE SILK HOSIERY

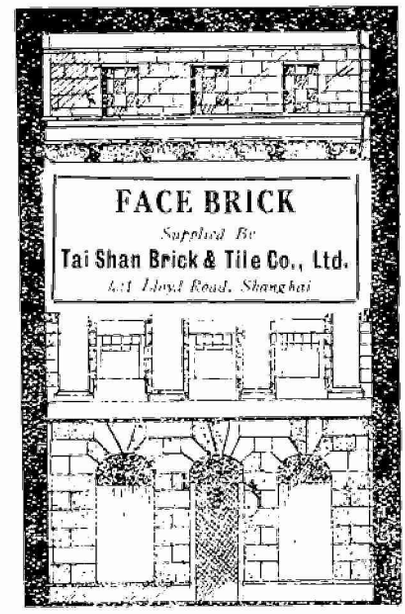
"COPIED BY ALL - EQUALED BY NONE"

Manufactured by

Foot Ease Hosiery Mill

2612 East Yuhang Road





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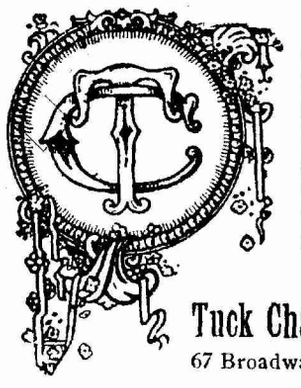

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Mr. Lieu Ong Sung

Unequal Treaties Must Go, Says Shanghai Manufacturer

The following interview was given by Mr. Lieu Ong-sung, prominent Shanghai manufacturer, while in Detroit recently, to H. S. Liang, a Chinese member of the staff of the Detroit "News".

UNEQUAL treaties must go if foreign businessmen expect to increase their trade and enlarge their market in China. The Nationalist movement is a well-established fact and its ultimate success no power in the world can prevent. Bolshevism, largely a pet word used by foreign "die-hards" and alarmists to scare their country men at home, will never succeed in China because she has no use for it. The Chinese people are entirely capable of solving their own problems and setting their house in order if foreigners, especially the British and the Japanese, will leave them alone.

This, in essence, was what Mr. Lieu Ong Sung, well-known Shanghai manufacturer and wharf owner, said in the course of an intimate and lengthy interview during his recent visit in Detroit where he inspected several leading industrial plants. Mr. Lieu, accompanied by Mrs. Lieu, Dr. and Mrs. W. S. New and Mrs. L. Z. Ling, is travelling around the world, studying economic and industrial conditions in the different countries.

Replying to an inquiry as to his candid opinion regarding the present situation in China, Mr. Lieu bluntly stated that he is no politician, that his interest is not chiefly political, and that, therefore, he will not attempt to predict what is likely to be the political prospect in China. "But," he added, "this much can be said that the people all over the country are sick and tired of war, and have a unanimous desire for peace and unification. The greatest danger in the way of realizing this aim, however, is foreign interference. If the foreigners will leave the Chinese alone, I am sure that they will solve their problems all right. If the Japanese had not interfered in Manchuria two or three years ago, the civil war might have been over in China by this time. From most authentic and reliable information I have learned that they are now resorting to the same old policy of interference in China's internal affairs. Again they are trying their best to keep China divided and thus make unification practically impossible. They will soon realize their folly, for which they will pay dearly.

"What has been said of the Japanese can also be said of other foreign nationals. They don't seem to realize that the Nationalist movement is a well-established fact, and its success no power on earth can prevent. Unequal treaties must go.

The Chinese people can no longer be treated as inferiors in their own country. The sooner the foreigners realize this fact the better it will be for them, for their legitimate interests and their future trade.

"As a manufacturer and a merchant, I can see a great future for foreign trade in China. That is one of the reasons I am taking this trip abroad. But the foreigners can never expect to do a thriving business in China so long as they cling to those unjust privileges which are a source of irritation and humiliation to any self-respecting and nationally-conscious people.

"The position of the foreigners in China is clear. Either they will relinquish those unfair privileges or they will lose their business and trade. They cannot have both of them any longer. The Chinese people will not let them. The Germans are a fine example. Their trade has actually tripled in China since the World War, and they do not enjoy extraterritoriality or the protection of gunboats."

At this point I interrupted Mr. Lieu with this question, "Will China turn "red" or Bolshevik?" Smiling, he replied, "So many people talk about Bolshevism and yet so few people understand what it is. So far Bolshevism is just a word used by foreign propagandists to stir up the passions of their people at home against the Chinese in their struggle for freedom and independence. I have more than 10,000 men in my employ, on the wharfs and in the coal mines, cement works and match factories, and none of them to my knowledge is "red" or even "pink."

"Only yesterday I read from the papers of the bombings of the subways in New York as a protest against Governor Fuller's decision in the Sacco-Vanzetti case. So far I have not heard anything so violent as that happening in China. And judging from that incident, I am afraid there is more Bolshevism in the United States than in our country."

Here the interview ended as our taxi approached the gate of Mr. Henry Ford's huge automobile plant which Mr. Lieu was to visit.

New Premises of Kincheng Bank

(Continued from page 94)

installing public drinking fountains, the water being sterilized by equipment installed on the premises.

The cooling and ventilating system was installed by the Asia Engineering Corporation, the York safety deposit vault was installed by the American Trading Company, who also supplied the Waygood - Otis elevators. Andersen, Meyer & Co. installed the electric equipment and the Siemens-China Co. the private automatic telephone system. The marble work is by Finocchiaro & Co. and the building is being constructed by Shun Tai & Co.

The steel and bronze windows were furnished by the Crittall Manufacturing Co. of England, the plumbing fixtures by Crane & Co., Chicago, the fans by Sturtevant & Co., and the refrigerating machinery by the York & Shipley Co.

The architect, Mr. Chuang, was the first Chinese to be appointed resident architect for the Tsing Hua college at Peking, a position which he held for nine years.

Nationalists Announce Organization of Supreme Court

The Nationalist Government on October 20 announced the following regulations for the organization of a Supreme Court:

Article 1. The Supreme Court shall be the highest judicial organ, consisting of two divisions: the Civil Division and the Criminal Divisions may be increased, as circumstances warrant.

Article 2. In the Supreme Court, there shall be a Chief Justice to take charge of the general affairs and to supervise the administration of the Court. There shall also be a President to each of its Divisions, to be chosen from the judges of the respective Divisions, to supervise the working of the Division.

Article 3. The Supreme Court reserves the supreme right to give uniform interpretation to the laws of the land, but it is not allowed to direct or influence in any way the decisions of the judges actually in trial of the cases.

Article 4. The Supreme Court reserves the right to try the following cases:

a. Appeals from decisions of the first and second trials of the District Courts;

b. Appeals from the rulings of the High Courts, such as premitted by law.

Article 5. The Supreme Court shall adopt the Joint-Court system and the power of trial shall be vested in five judges sitting jointly in one court. During trial, the President shall act as the Chief Judge; in case the President should be absent, a senior member of the judges shall be appointed to act in his place.

Article 6. There shall be in the Supreme Court, a Chief Secretary and a number of secretaries to take charge of the correspondence, and recording and filing of the documents.

Article 7. There shall be in the Supreme Court a Chief Procurator and three procurators, who shall execute all the business incidental to their offices in accordance with the law.

Article 8. The Chief Procurator shall have the right to direct and order the Police attached to the Procuratorate Courts.

Article 9. There shall be in the Supreme Court an appropriate number of Court servants, whose engagement or dismissal shall rest with the President of the Court.

Article 10. The Chief Justice of the Supreme Court shall be of the "first rank"; and the ten judges of the Supreme Court, of the "second rank".

Article 11. The Chief Procurator of the Supreme Court shall be of the "second rank"; and the three procurators, of the "third rank."

Article 12. The Chief Secretary of the Supreme Court shall be of the "second rank"; and the secretaries, of either the "second or the third ranks."

Article 13. The Supreme Court reserves the right to employ an adequate number of officers, as its volume of work demands.

Article 14. The number of the procurators and secretaries shall be increased with the increase of the number of Divisions.

Article 15. These articles shall become operative from their date of promulgation.

In the United States Court for China

In re Estate of
CHARLES WILLIAM SHADE,
Deceased.

Estate No. 78
NOTICE

Pursuant to an Order of said Court, notice is hereby given to all persons having claims against the Estate of CHARLES WILLIAM SHADE, deceased, to present the same with vouchers to the undersigned, on or before April 22, 1928, and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

Shanghai, China,
October 17, 1927.

Chauncey P. Holcomb
2 Kiukiang Road,
Shanghai, China.

In the United States Court for China

In re
of
ESTHER W. CHAUNCEY,
Deceased.

Cause No. 2988
Estate No. 667
NOTICE

Pursuant to an Order of said Court, notice is hereby given to all persons having claims against the Estate of ESTHER W. CHAUNCEY, Deceased, to present the same with vouchers to the undersigned on or before April 7, 1928; and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

Shanghai, China.
October 7, 1927.

Chauncey P. Holcomb
2 Kiukiang Road,
Shanghai, China.

42-387

From the Chinese Press

(News items pertaining to Chinese politics appearing under this heading, are taken mostly from the daily reports of the Kuo Wen (independent), Kuo Min (Nanking official) Nationalist (Wu-Han official) and Toho (Japanese) news agencies, and from translations of articles appearing in the local Chinese press).

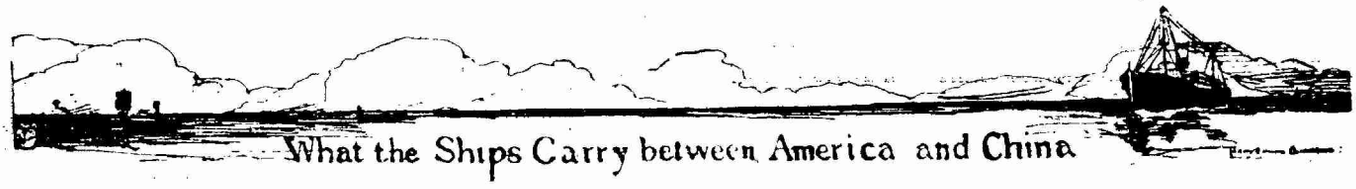
October 19—Orerseas Cultural Research Society of Japan appoints Messrs. Kaoru Osanai, Masao Yonekawa and Keishi Oseki as delegates to attend the tenth anniversary celebration of the Soviet Revolution—Nan Kuei-hsing, Shansi representative in Peking declares, according to *Toho* interview that Fengtien forces will never be able to invade Shansi even though Shansi troops are defeated in present engagement—Shansi forces on Peking-Suiyuan line take up defensive positions at Huaian and Chaikoupu—*Toho* report from Peking states that Fengtien forces have reached Changteh in Northern Honan—Professer Kao Jen-shan and seven other members of faculty of Peking Normal College arrested and ordered shot by Chang Tso-ling on account of alleged Nationalist propaganda—Some 3,000 Shansi troops still holding out in Chochow near Peking—*Toho* report from Tokyo enies report from Peking that the South Manchuria Railway is planning to lend $2,000,000 to the Shantung Railway for purpose of purchasing rolling stock—Peking report by *Toho* states that Diplomatic Body has agreed for the International Commission for fixing commodity prices under the Customs to meet in Peking on November 15—*Peking Shimbun*, Japanese paper allowed to resume publication after having been suppressed—Nanking Military Council, according to *Kuo Min* report has appointed Gen. Ho Ying-chin as commander-in-chief of Northern drive against Shantung; claimed that Nationalists now have 200,000 men north of Yangtsze—Provincial Government of Kiangsi congratulates Dr. C. C. Wu on his appointment as Minister of Foreign Affairs—Nationalists appoint Chao Chun-kung as vice-minister of Communications; Sun Fo appoints Mei Kwang-pei as head of Anti-Opium Department—Nanking approves regulations for opening new Central Bank—Nanking remits $2,000 to Shanghai Labor Bureau—Tsai Yuan-pei, head of National University appoints Li King-fa, Lin Feng-nien, Chang Chin-kiang and Chang Pu-Chuan as members of committee to found art museum—Shantung authorities decide to increase price of salt in order to obtain additional military funds.

October 20—Clash occurs at Wuhu between troops of Tang Shen-tse and Nanking—*Kuo Min* report from Nanking states that Wang Ching-wei and members of Central Special Committee at Nanking issue call for Conference of the Central Committee of the Kuomintang for November 1 in Nanking—Government Council in Nanking orders all departments to remit funds to Minister of Finance—Sun Fo, Minister of Finance obtains sum of $3,300,000, of which amount, $2,000,000 has been turned over to Military Council for equipping troops for Northern advance—Serious trouble develops at Swatow with the Japanese in consequence of clash with Japanese landing party during recent occupation of city by Communist troops—Military situation on the Peking-Shimbun and Peking-Hankow lines reaches deadlock—*Kuo Wen* report from Peking states that Chang Tso-ling is arranging for loan of $10,000,000 from "certain British merchants"—General Duncan of British forces arrives in Tientsin—Tang Shen-tse sends delegate to Chengchow to confer with Feng Yu-hsiang.

October 21-22—Nationalist Government, according to *Kuo Min* issues denunciation of Wu-han General Tang Shen-tse and orders punitive expedition against him, charging him with supporting communists and being in alliance with Chang Tso-ling—*Kuo Min* report from Mukden alleges that two British firms have loaned Chang Tso-ling the sum of $30,000,000 for concessions to construct a railway in Chihli province and also for a concession at Kalgan—Gen. Bei Tsung-chi, defense commissioner at Shanghai issued orders against "indiscriminate" arrests by military organs for obvious purpose of "purifying" party, but really for purposes of extortion—Nanking claims troops have occupied Wuhu area in Anhwei displacing Tang Shen-tse's troops which have retreated—Nationalist Government appoints provisional government committee in Anhwei consisting of Chen Tiao-yuan, Bei Wen-sei, Chang Chu-pei, Hi Shih-cheng, Ning Kung, Han An, Tang Chi-shien, Li Hsiao-chen and Chen Tsung-fu—Report from Nanking claims Feng Yu-hsiang has departed from Chengchow Honan to the east in order to personally direct fight against Shantung troops at Hsuchow-fu—*Toho report from Wuhu states city occupied by Nationalist troops and that walls placarded with posters denouncing Tang Shen-tse as being "cat's paw" of Japan—Peking *Toho* report states Chihli-Shantung troops have captured Lanfang on Peking-Suiyuan line and Changteh on Peking-Hankow line—*Toho* report states that Shansi troops in Chochow have sent emissaries offering to surrender on condition they are incorporated in Fengtien forces—Anti-Japanese agitations continue at Swatow—Gen. Chiang Kai-shek goes to Tokyo for visit—Peking report states Chinese and Japanese have again decided to postpone resumption of negotiations on Sino-Japanese commercial treaty for another three months—Nanking sends gunboats to Wuhu—*Toho* report states that Yang Yu-ting and Japanese Minister Yoshizawa will shortly resume negotiations on Manchuria and Mongolia questions—Kwangtung government forms military committee composed of Li Chi-shen, Chang Fa kwei, Chen Ko-cho, Huang Shao-hsiung and Chen Kung-po; report states committee will function until 4th plenary session of Kuomintang—Japanese decide to take action regarding consolidation of Japan's defaulted loans to China—Madame C. C. Wu stil held in Tientsin but removed to hospital—Nanking appoints Tsai Tsung chi as head of bureau for supervision of national currency—Chinese steamship companies suspend sailings on Yangtsze owing to war situation—Soo Tse-chien, a professor in Shanghai Law College assassinated, deed being similar to recent killing of Pan Teh-tao, president of same institution—Nationalists troops claim victory over Sun Chuan-fang's forces at Pengpu—Chang Chung-chang demands that Madame C. C. Wu be sent to Tsinanfu—Peking denies report that loans are being negotiated with British Government firms.

October 23-24—Nationalists troops at Soochow ordered to procee I North, but residents object owing to prevalence of banditry in area—Nationalist commander Li Tsung-jen, Cheng Chien and Yeh Kai-hsin move up Yangtsze from Wuhu leaving 4 regiments in charge of Wuhu under Gen. Chen Tiao-yuan—Ho Chien's army in Anhwei retreats to Tungcheng and Shucheng—Foreign ships on Yangtsze again being fired on—*Toho* report from Peking states Fengtien troops are advancing on Kaifeng in Honan; claimed that subordinate of Feng Yu-hsiang, Gen. Liu Chen-hua has gone over to Fengtien and has arrested Gen. Lu Tsung-lin, leading commander of Feng's forces—Fengtien concentrates troops westward of Kalgan—Gen. Chiang Kai-shek now in Tokyo issues interview urging Japanese to support Nationalists—Chang Tso-ling holds conference with Gen. Wu Chun-sheng, tupan of Heilungkiang, on subject of countermeasures against Shansi—Chang Tso-ling continues to arrest students in Peking on charges of communism—Hankow Kuomintang passes resolutions disapproving of Nanking Central Special Committee; charge Nanking with breaking promises; intend to interfere with Nanking's Northern expedition; Wu-han will deal with party and political affairs independently—Hankow plans to blockade Yangtsze near Tungling to prevent communication with Nanking—Chang Tso-ling proposes peace with Yen Hsi-shan—Nationalists claim Feng Yu-hsiang is supporting Nanking and hopes to defeat Tang Shen-tse shortly; allege Generals Ho Chien and Tang Mong are likely to rebel against Tang—Nationalists issue regulations for provincial government—Reported that Gen. Chu Peh-teh in Kiangsi will rebel against Tang Shen-tse—Shansi troops continue to concentrate at Pingshan, Houlu, Huai-an and Chaikowpao, believed war will drag out through winter—Chang Tso-ling tries to obtain balance of Belgian share of Boxer funds which was set aside for construction of Yellow River Bridge, Chang wanting money for military purposes.

October 25—Toho dispatch from Kiukiang states Gen. Chu Peh-teh, Nationalist commander in Kiangsi has declared his allegance to the Nanking faction; Kiangsi troops prepare to prevent Tang Shen-tse's troops from retreating into Kiangsi from Anhwei—Chang Tso-ling asks Sun Chuan-fang to come to Peking for conference; reported Chang is trying to make alliance with Tang Shen-tse—Tang Shen-tse sends troops up river from Hankow presumably for purpose of attacking Yang Sen's troops at Ichang—Chiang Kai-shek goes to Tokyo for week's stay—Chinese navy attempts to seize salt revenue at Chefoo, but British dispatch gunboat—Nationalists issue report through *Kuo Min* alleging that Tang Shen-tse had made an alliance two months ago to join with Chang Tso-ling, Chang Chung-chang, Sun Chuan-fang and Chin Yun-ao for purpose of launching combined attack on Feng Yu-hsiang and Nanking—Anking, capital of Anhwei captured by Nanking, Wu-han commander Gen. Ho Chien retreating without fight; claimed that Gen. Tang Mong of Wu-han faction has gone over to Nanking—*Kuo Min* report states Canton is sending three armies into Hunan to attack Tang Shen-tse—Chang Tso-ling executes ten students, including one girl, for alleged affiliation with Yen Hsi-shan—*Toho* report from Peking claims that Chihli-Shantung troops under Gen. Chang Chin-yao have defeated Feng Yu-hsiang's forces on the Lung-Hai Railway and are now menacing Kaifeng—Chang Tso-ling declares martial law in Peking.



What the Ships Carry between America and China

Return of the Shanghai Customs

Pls.—1 Picul or 133 1/3 pounds. Bls.—Bales; Pcs.—Pieces; Mills—thousands; Hk. Tls.—Haikwan Tls. Oct. *Customs Rate Tls. 1.45 equal Gold $1*

LONDON MARU, Sept, 9.

To Vancouver.

Tea, Leaf, Unfired, .. Pls. 219

To Seattle.

Oil, Wood, Inferior .. „ 5,176

To Chicago.

Tea, Green:
Gunpowder, Ningpo. „ 247
oung Hyson, other Ports..... „ 32

To New York.

Silk, Raw, Steam Filature: White, Shanghai Bls. 160 ..... „ 159.60

TAKETOYO MARU, September 14.

To Philadelphia.

Wool, Sheep's ..... „ 221

To New York.

Tea, Green:
Gunpowder, Ningpo. „ 264
Hyson, other Ports „ 81
Young Hyson, other Ports ..... „ 256
Tea Black, other kinds, other Ports ..... „ 32
Tea, Leaf Unfired, other Ports ..... „ 443
Bristles, Assorted .... „ 175
Antimony, Crude .... „ 420
„ Regulus ... „ 1,680
Nutgalls ..... „ 23
Hides, Buffalo ..... „ 41

To Boston.

Tea, Black, Congou, Kiukiang ..... „ 34
Egg Yolk, Dried..... „ 8

PACIFIC MARU, September 19.

To San Francisco.

Bags, Cotton ..... Pls. 1,328

To Los Angeles.

Bags, Cotton ..... „ 1,443

To New Orleans.

Bags, Gunny, Old Scraps „ 1,386

To Charleston.

Bags, Gunny, Old Scraps „ 598

To Philadelphia.

Cotton, Waste ..... „ 197

To New York.

Silk, Raw, Re-reeled: White, other Ports Bls. 60 ..... „ 60.88
Cotton, Waste..... „ 198

To Boston.

Cotton, Bags, Old .... „ 2,015

SHINYO MARU, September 21.

To Honolulu.

Silk Pongees, Shantung Pls. 1.05

To San Francisco.

Silk Pongees, Shantung „ 0.87
Intestines, Pig, Salted „ 14

To New York.

Silk, Raw, Re-reeled: White, other Ports Bls 210..... „ 213.86

BOLTON CASTLE, September 27.

From U. S. A.

Starch, Corn..... Pls. 294
Glucose ..... „ 44
Tobacco, Prepared, in Tins..... „ 2
Wax, Paraffin .... .. „ 1,796
White Dextrine..... „ 84
Typewriters ..... Pcs. 42
Oil, Lubricating, Mineral Galls. 531
„ Unclassed .... „ 2,500

KHYBER September 27.

To New York.

Silk, Raw, Filature: Wild, other Ports Bls. 30 ..... Pls. 30.46

PRESIDENT CLEVELAND, September 29.

from U S. A.

Carbon, Black..... Pls. 176
Corn Syrup, Unmixed . „ 67

from Manila.

Copper Ingots..... „ 15
Betelnut Husks..... „ 21
Buntal Fibre ..... „ 4
Grease ..... „ 11
Rope ..... „ 30
Oil, Lubricating, Mineral Galls, 9,079
Machines, Sewing .... Pcs. 1

PRESIDENT PIERCE, September 29.

From U. S. A.

Ammonia, Anhydrous . Pls. 8
Apples, Fresh ..... „ 287
Flour, Wheat..... „ 4,431
Hams and Bacon ..... „ 17
Ink, Printing..... „ 16
Paper, Waxed.. .... „ 278
Coffee .....Catties 50
Bedsteads, Iron ..... Pcs. 242
Cylinders, Iron ..... „ 10
Motor-cars..... „ 11
Motor-trucks ..... „ 5
Timber:
Softwood, Ordinary, Sawn .... Sup. ft. 293,720

STEEL ENGINEER, September 29.

From U. S. A.

Cotton, Raw Bls. 4,421 „ 10,407
Steel, Galvanized: Wire Shorts..... „ 504
Oil, Unclassed ..... „ 57
Gum, Rosin..... „ 58

SILVERBELLE, Sept. 30.

from U. S. A.

Iron Pipe Fittings, Black Pls. 25
Iron, Galvanized: Pipe Fittings..... „ 52
Gum, Rosin ..... „ 8,076
Indigo Paste, Artificial, 20 per cent. ..... „ 600
Soda, Caustic..... „ 263
Sulphur, Black ..... „ 647
Wax, Paraffin ..... „ 1,179
Lemons, Fresh ..... Mille 3
Shoes ..... Pairs 2,430
Dyes, Aniline Pkgs, 29 ..... Hk. Tls. 4,032

MAYEBASHI MARU, October 4.

To Shimizu.

Tea, Green:
Hyson, other Ports.. Pls. 3

To Montreal.

Tea, Black, Congou, Kiukiang ..... „ 39
Other Kinds, Kiukiang ..... „ 37
Other Kinds, other Ports ..... „ 7
Tea, Green:
Gunpowder, Ningpo. „ 23

To San Francisco.

Tea, Green:
Young Hyson, other Ports ..... „ 296
Hyson, other Ports „ 384
Brassware... ..... „ 14
Egg Albumen, Dried .. „ 41

To Panama.

Silk, Pongees, Shantung Pls. 1.04

To Boston.

Silk, Waste: Shanghai....Bls. 14 Pls. 44.66
Tea, Black, other kinds, Kiukiang ..... „ 46
Tea, Green:
Gunpowder, Ningpo. „ 235
Young Hyson, other Ports ..... „ 123
Hyson, other Ports.. „ 36
Hair, Human..... „ 22

To New York.

Tea, Black:
Congou, Hankow . „ 154
„ other Ports „ 42
Tea, Green:
Gunpowder, Kiukiang „ 20
Young Hyson, Kiukiang ..... „ 137
Young Hyson, other Ports .... „ 23
Hyson, Kiukiang .. „ 49
„ other Ports „ 231
Antimony, Regulus.... „ 420
Brassware ..... „ 11
Bristles ..... „ 50
Egg Albumen, Dried .. „ 84
„ Yolk, Dried.... „ 425
Feathers ..... „ 159
Nutgalls ..... „ 336
Oil, Wood ..... „ 306
Skins, Goat, Untanned „ 8.0

Weekly Cotton Market Report

By J. Spunt & Co.

China Cotton:—Our market during the major portion of the past week evinced a weaker undertone which may be ascribed to no other cause than the continued depression in Mid-Americans and Indians as well as to the limited demand for actual cotton on the part of local spinners. Prices on the whole show a decline of Tls. 1.50 to Tls. 2.00 per picul lower than the level last recorded, and at the close inclines more toward a weaker than stronger direction.

The general sentiment for the present appears to be bearish but it is extremely difficult to forsee the trend of the market in so far as to outline any definite situation in the immediate future and for that reason it would appear advisable for the moment to take advantage of any favorable offerings with a view to cover immediate requirements in that reactions may set in when least expected.

Yarn:—Our market during the past week has been generally weak, with a further decline of two to three taels from last week's level, due to the weakness of the raw material in the world market. In all some 8000 to 9000 Bales of local spinnings have been booked for export to Szechuen, Canton, Kiangse, Newchwang, Hankow, Swatow, Amoy, Tientsiu Fukien and other interior ports.

Liverpool:—

American-Middling	11.29
American-Middling last reported	11.54
Tone of the Market,	*Easier*

New York Market:—

Price of Mid-Amer.	20.05 Spot.
	19.65 Dec.
	19.65 Jan.
	19.85 Mar.
	20.08 May.
	19.95 July.

Tone of the market—*Weak*

Indian Market:—

Fully Good Bengal, D./J.	318
Fine Oomra, D/J.....	354
Fully Good Broach, A./M.	386

Tone of the market—*Weak*

Shanghai Market:—

	Tls.
Tungchow, O./N. exwharf	35.00
Shanghai, O./N.....	34.50
M. Ginned, Spot.....	35.00
Shensi, No. 1 O./N./Dec.	36.00
Ningpo. Spot, Exwharf.	31.40

Tone of the market—*Weak*

Latest New York Stock Exchange Quotations

Oct. 26, Supplied by J. E. Swan & Co. Tel. C. 6615 6619.
Market Closed Strong Business Done 2,000,000

STOCK	Previous Price	Latest Price
Allied Chemical & Dye (Common)	145⅛	149
American Can (Common)	62	64¼
American Radiator (Common)	129½	131¼
Amer. Smelting & Refining (Common)	160⅞	164⅜
American Telephone & Tel. (Common)	173	177
American Tobacco "B"	158½	162
Baldwin Locomotive Co. (Common)	248	256
Bethlehem Steel (Common)	52	53½
Bethlehem Steel, Pfd. 7%	117¾	116⅛
Canadian Pacific Railway	187½	188
Canada Dry Ginger Ale	49¼	48⅞
Cheasapeake & Ohio (Common)	201¼	207½
Eastman Kodak Co. (Common)	160⅛	158½
General Baking "A"	73¾	73½
General Electric (Common)	125⅛	126
General Motors (Common)	228	230⅞
Goodrich (B.F.) Co. (Common)	75	74¾
International Match, Pfd.	83⅝	86
International Nickel (Common)	66¼	65
Ligget & Myers, Class "B"	120⅛	119½
Mack Trucks (Common)	101⅜	101⅞
New York Central (Common)	158½	161
Packard Motor Car Co. (Common)	46	47
Phillips Petroleum (Common)	41	42½
Pacific Gas & Electric	42	38¾
Radio Corp. of America (Common)	70	75½
Reynolds Tobacco, Class "B"	147	145½
Standard Gas & Electric (Common)	60½	60¾
Schulte Retail Stores (Common)	50⅞	51
Southern Railway (Common)	130⅜	130½
Standard Oil of California	55⅛	55⅛
" " of New Jersey	39	39⅝
" " of New York	30¾	31
" " of Indiana	71½	72⅞
Texas Corporation (Common)	50½	50¾
Tobacco Products "A"	111½	112½
Union Carbide	127¼	129⅜
Union Pacific RR. (Common)	187	187⅛
United Fruit	135¾	136½
United Drug (Common)	182⅝	191¼
United States Rubber (Common)	51½	54
United States Realty & Imp. Co.	60⅞	60⅞
United States Steel	140	138⅞

American Gold Bond Quotations

Name of Security	Coupon Rate %	Date of Maturity	Sale Price Oct. 13th	Sale Price Oct. 20th	Approx. Yield to Maturity Oct. 20th
Czecho Slovak Govt. Sinking Fund Loan...	8	Oct. 1, 1952	108¾	108½	7.25
Czecho Slovak Govt. Ext. S. F. Loan.....	7½	Oct. 1, 1945	106	106	6.90
Republic Chile S.F. Loan	7	Nov. 1, 1942	101⅛	101⅜	6.80
Argentine Ext. S.F. Loan	6	May. 1, 1960	99⅛	99⅜	6.05
Italy, Ext. S. F. Loan..	7	Dec. 1, 1951	99	98½	7.15
Austrian S. F. G. Loan..	7	June 1, 1943	105	105⅝	6.40
French Ext. S. F. Loan	8	Sept. 15, 1945	110⅜	110⅝	6.95
Japanese Govt. (£).....	5	1907/1947	83⅜	83¼	6.50
German Govt. S. F. Loan	7	Oct. 15, 1949	107	106¾	6.45
Deutsche Renten Bank 1st Lien Farm Loan	7	Sept. 15, 1950	101⅛	101⅛	6.90
Saxon Public Works Inc. 1st Mtge. S. F. Loan ..	7	Feb. 1, 1945	102	101½	6.85
German G.E.C.S.F. Loan	7	Jan. 15, 1945	104⅛	104½	6.55
Finnish Guaranteed Municipalities S. F. Loan...	6½	Oct. 1, 1954	99½	99	6.60
Chicago Rapid Transit 1st. & Refunding Mtge.	6½	July 1, 1944	98½	98½	6.65
Northern Ohio Power & Light Co. Debentures.	6½	Jan. 1, 1941	100	100	6.50
Cuban Domin. Sugar Co. 1st Lien S. F. Loan...	7½	Nov. 1, 1944	101½	101¼	7.35
Camaguey Sugar Co. 1st. Mtge. S. F. Loan.....	7	Oct. 15, 1942	100	101 (Bid)	6.90
Pennsylvania Dixie Cement Cumulative...	7	Pfd. Stock	95⅛	95¼	7,33
Victor Talking Machine Company Cum, Prior	7	Pfd. Stock	97½	97⅜	7.18
Willys Overland Co.....	7	Pfd. Stock	95	94	7.45
The National City Bank of New York.....	20	Stock	718	712	2.81
Republic of Peru, Ext. Secured S. F. Loan...	7½	Sept. 1, 1956	103½	102⅝	7.30

The National City Company, The National City Bank Building, No. 2A Kiukiang Road, Shanghai, China.

Shanghai Exchange for Week Ending Wednesday, October 26, 1927

By Maitland, Fearon and Brand

Exchange:—During the past week, the price of Bar Silver in London has declined $\frac{3}{16}$d, today's quotations being 25$\frac{3}{8}$d. ready and 25$\frac{13}{16}$d. forward The official T/T rate on London is $\frac{1}{4}$d. lower @ 2/6$\frac{1}{4}$d. Exchange rates in regard to Sterling and Gold Dollars have moved within narrow limits and the volume of business passing has been small. No special feature attaches to the market, which closes quiet at slightly lower levels. Banks are sellers at the following quotations, T/T London 2/6d$\frac{1}{4}$., New York 61$\frac{7}{8}$ Yen 75$\frac{3}{8}$.

Our stocks of silver are reported as follows:—

Sycee and Bar Silver.....Tls. 65,580,000 a decrease of Tls. 207 000
Chinese and Mexican Dollars..... $ 78,800,000 an increase of $ 1,480,000
Estimated value Tls. 122,316,000 as against Tls. 132,059,000 held at this time last year

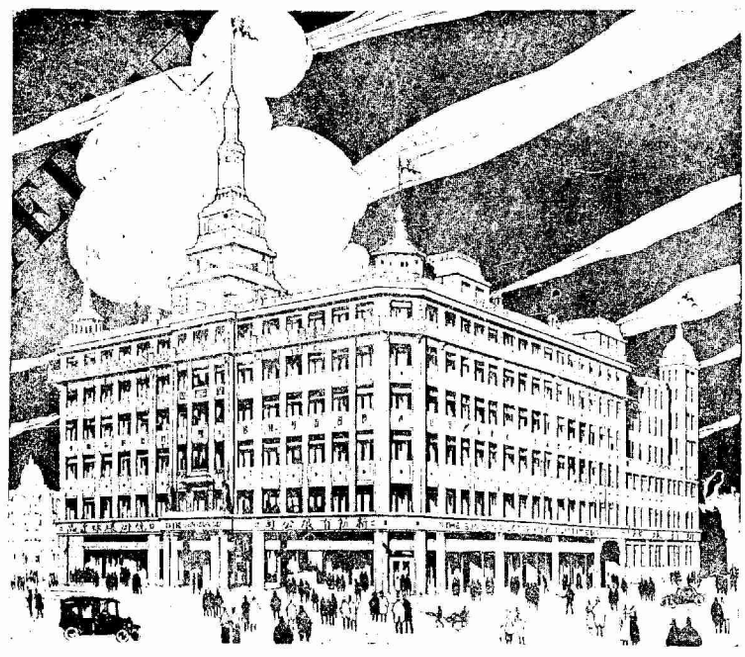
	Average rates for Sept.	Thursday Oct. 20	Friday Oct. 21th	Satur. Oct. 22th	Monday Oct. 24	Tuesday Oct. 25	Wednesday Oct.
Bank's selling rates		*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*
T/T London	2/5 8,0	2/6¼	2/6¼	2/6¼	2/6¼	2/6¼	2/6¼
D/Dfts "	—	2/6 5/16	2/6 5/16	2/6 5/16	2/6 5/16	2/6 5/16	2/6 5/16
4 m/s "	—	2/6½	2/6½	2/6½	2/6½	2/6½	2/6½
T/T India	165.990	168	168	168	168	168	168
T/T France	1,540,600	1565	1565	1565	1565	1565	1565
T/T N. Y.	60.410	61 3/8	61 3/8	61 3/8	61 3/8	61 3/8	61 3/8
T/T Demand		61 7/8	61 7/8	61 7/8	61 7/8	61 7/8	61 7/8
T/T Hamburg		256¾	256¾	256¾	256¾	257	257
T/T H'kong	79.815	79¼	79⅜	79½	79⅜	79⅝	79½
T/T Japan	77.495	75⅝	75⅝	75⅝	75⅝	75¾	75¾
T/T Batavia	150.400	152¼	152¼	152¼	152¼	152¼	152¼
T/T Straits	93.260	92	92	92	92	92	92
Bk's buying rates							
4 m/s B/L. Cred. D/A	2/7 830	2/8¼	2/8¼	2/8¼	2/8¼	2/8¼	2/8¼
4 m/s " D/P	—	2/8⅜	2/8⅜	2/8⅜	2/8⅜	2/8⅜	2/8⅜
6 m/s " B/L Cred D/A	2/8.1425	2/8 9/16	2/8 9/16	2/8 9/16	2/8 9/16	2/8 9/16	2/8 9/16
4 m/s B/F Cred D/A or D/P	1,670.600	1695	1695	1695	1695	1695	1695
4 m/s N.Y.Lc	63.910	64⅜	64⅜	64⅜	64⅜	64⅝	65⅛
4 m/s " Docs	—	65¼	65¼	65¼	65¼	65¼	65¼

†Based on Daily Official quotation, higher rate taken on rising Market, lower when falling Bullion.	Oct. 20	Oct. 21	Oct. 22	Oct. 24	Oct. 25	Oct
*London Price of Bar Silver per oz. (Englsh Standard 925 touch)...Pence	25 13/16	25 13/16	25⅝	25⅞	25 13/16	2
**New York Price of Bar Silver per oz. (Pure)	G. $.56⅜	G. $. 56⅜	G. $. 56⅜	G. $. 56⅜	G $. 56¼	G.
Shanghai Price of Gold Bars (weight Tls. 10 (Chaoping) 978 touch).....	Tls. 367	Tls. 367.00	Tls. 366	Tls. 366.00	Tls. 367.00	Tl 366
Shanghai Silver Bars (weight Tls. 100(C.)999 touch)	110.00	110.00	110.00	110.00	110.00	110.
Shanghai Mexican Dollars per $100.....	72.6	72.5875	72.7	72.6875	72.7	72.7
Native Bank Rate of Interest (Call money).....	3%	3%	3%	3%	3%	3%
*Closing Price in Lond on for Previous day						
**Closing Price in New York for Previous day						

Bank of England rate of discount	4½%	London Paris on	T/T 124.02
Bank of France rate of discount	5%	New York on London	T/T 486 15/16
London open Market of Dis. 3 m/s	4 5/8%	Bombay on London	T/T 1/5 1/16
" 4 "	4 5/8%	Hongkong on London	T/T 1/11 3/4
" 6 "	4 5/8%	Kobe on London	T/T 1/10 3/32

Shanghai's Biggest Department Store

Welcomes You To Take Advantage of the Many Purchasing Values In Each Department



SUN SUN COMPANY, LIMITED

Shanghai - - - - China

42-391

美國烟葉公司

Universal Leaf Tobacco Co. of China

INCORPORATED

No. 1 The Bund, Shanghai, China

LEAF TOBACCO

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